

September 7, 2010  
City Commission Room, 700 N. Jefferson, Junction City KS 66441

Mayor Mike Rhodes  
Vice Mayor Ken Talley  
Commissioner Terry Heldstab  
Commissioner Scott Johnson  
Commissioner Jack Taylor  
City Manager Gerry Vernon  
City Attorney Catherine Logan  
City Clerk Tyler Ficken

**1. 7:00 P.M. - CALL TO ORDER**

- a. Moment of Silence.
- b. Pledge of Allegiance

**2. PUBLIC COMMENT:** The Commission requests that comments be limited to a maximum of five minutes for each person.

**3. CONSENT AGENDA:** All items listed are considered to be routine by the City Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

- a. The consideration and approval of **Appropriation Ordinance A-17-2010** dated August 12 – September 1, 2010 in the amount of \$1,035,225.26.
- b. Approval of the **August 17, 2010** City Commission Meeting Minutes.
- c. Consideration and approval to receive grant award in the increased amount of \$47,211.00 for the Open Door.
- d. Monthly Reports:
  - 1. Water Department
- e. The Consideration and approval of Payroll #16 and #17 for the month of August 2010.
- f. The consideration and approval of Pay Estimate #2 in the amount of \$120,473.91 to Clarke Well & Equipment, Inc. for construction of Water Supply Well No. 18. This project is 68.71% complete as of this Pay Estimate.

**4. APPOINTMENTS:**

**5. SPECIAL PRESENTATIONS:**

- a. A Proclamation recognizing October 21, 2010 as Wamego Dutch Mill Sweet Adelines Day.
- b. Presentation of a Certificate of Appreciation to Armour Eckrich on behalf of the City of Junction City.
- c. A special presentation by Jonice Pitts
- d. A special presentation by Nicholas Blake.

**6. PUBLIC HEARINGS:**

**7. UNFINISHED BUSINESS:**

- a. The consideration and approval to **change the fine and court costs schedule** for the Junction City Municipal Court, and modify the process for any future changes to fines and court costs from a Charter Ordinance to a General Ordinance.
  - 1. Approve General Ordinance **G-1076. (Final Reading)**.
- b. The consideration and approval of **Ordinance G-1075** amending Title IV, Subdivision Regulations, and Title V, Building and Construction, of City Code to add language regarding exemptions to platting and adding language concerning when building permits may be issued on unplatted lands. **(Final Reading)**
- c. The consideration and approval of **Ordinance S-3085** authorizing the imposition of a one percent City-wide sales tax and related matters. **(Final Reading)**

**8. NEW BUSINESS:**

- a. The consideration and approval of **G-1077** to update the City Ordinance to accurately reflect the new 2010 Standard Traffic Ordinance.
- b. The consideration and approval of the sale or disposition of City properties.
- c. The consideration and approval of Ordinance G-1078 to amend the Current Municipal Code concerning water rates.
  - 1. Approval of Ordinance G-1078 on **first reading**.
  - 2. Approval of Declaration of Emergency
  - 3. Approval of Ordinance G-1078 on **final reading**.
- d. The consideration and approval of Ordinance G-1079 to amend the current municipal code concerning sewer rates.
  - 1. Approval of Ordinance G-1079 on **first reading**.
  - 2. Approval of Declaration of Emergency
  - 3. Approval of Ordinance G-1079 on **final reading**.
- e. The consideration and approval of Ordinance G-1080 to amend the current municipal code concerning refuse rates.
  - 1. Approval of Ordinance G-1080 on **first reading**.
  - 2. Approval of Declaration of Emergency
  - 3. Approval of Ordinance G-1080 on **final reading**.

- f. The consideration and approval of a 12 month sub-lease agreement for the Opera House with the Junction City Little Theatre, Inc.

**9. COMMISSIONER COMMENTS:**

**10. STAFF COMMENTS:**

**11. EXECUTIVE SESSION:**

- a. A session to discuss issues of attorney client privilege to include the Commission, City Manager Vernon, and City Attorney Logan.

**12. ADJOURNMENT:**



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## **City of Junction City**

### **City Commission**

### **Agenda Memo**

Sept 7<sup>th</sup> 2010

**From:** Cynthia Sinkler, Water Billing and Accounts Payable Manager  
**To:** City Commissioners  
**Subject:** Appropriations -A-17 2010

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**Background:** Attached is listing of the Appropriations for Aug 12-Sept 1 2010

**Appropriations -Aug 12-Sept 1 2010** **\$1,035,225.26**

ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
-DEPARTMENTAL	GENERAL FUND	ALL AMERICAN ADMINISTRATORS (LOYAL AME	CANCER PLAN	623.01
			CANCER PLAN	623.01
		FAMILY SUPPORT PAYMENT CENTER (MISSOUR	MACSS #41061331/ CV103-753	154.85
			MACSS #41061331/ CV103-753	154.85
		INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	24,292.86
			FEDERAL WITHHOLDING	24,011.93
			FICA WITHHOLDING	4,849.48
			FICA WITHHOLDING	4,366.86
			MEDICARE WITHHOLFING	3,306.72
			MEDICARE WITHHOLFING	3,216.71
		ING LIFE INSURANCE & ANNUITY COMPANY	ING	2,851.58
			ING	2,852.87
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	711.33
			AMERICAN UNITED LIFE	711.66
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	743.02
			BLUE CROSS BLUE SHIELD	743.02
			BLUE CROSS BLUE SHIELD	846.18
			BLUE CROSS BLUE SHIELD	846.18
			BLUE CROSS BLUE SHIELD	1,411.44
			BLUE CROSS BLUE SHIELD	1,411.44
			BLUE CROSS BLUE SHIELD	886.88
			BLUE CROSS BLUE SHIELD	886.88
			BLUE CROSS BLUE SHIELD	832.61
			BLUE CROSS BLUE SHIELD	816.45
			BLUE CROSS BLUE SHIELD	575.05
			BLUE CROSS BLUE SHIELD	575.05
			BLUE CROSS BLUE SHIELD	418.88
			BLUE CROSS BLUE SHIELD	418.88
		JUNCTION CITY FIREFIGHTERS AID ASSOCIA	FIREFIGHTERS AID ASSOCIATI	112.50
			FIREFIGHTERS AID ASSOCIATI	110.09
		U.S. DEPARTMENT OF EDUCATION	U.S. DEPARTMENT OF EDUCATI	206.00
			U.S. DEPARTMENT OF EDUCATI	206.00
		SHEA, RIGDON & CARVER	SHEA, RIGDON & CARVER	557.04
			SHEA, RIGDON & CARVER	557.04
		CITY OF JUNCTION CITY	CITY OF JUNCTION CITY (G-F	36.50
			CITY OF JUNCTION CITY (G-F	36.50
		CITY OF JUNCTION CITY	CITY OF JUNCTION CITY -P&R	60.00
			CITY OF JUNCTION CITY -P&R	20.00
		KANSAS PAYMENT CENTER	KANSAS PAYMENT CENTER	624.53
			KANSAS PAYMENT CENTER	624.53
		JAY W. VANDER VELDE	JAY W VANDER VELDE	232.74
			JAY W VANDER VELDE	232.74
		COLONIAL SUPPLEMENTAL INSURANCE	COLONIAL INSURANCE	46.21
			COLONIAL INSURANCE	46.21
			COLONIAL INSURANCE	11.50
			COLONIAL INSURANCE	11.50
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	693.22
			DELTA DENTAL OF KANSAS	693.74
		FIREMEN'S RELIEF ASSOCIATION	FIREMANS RELIEF	291.60
			FIREMANS RELIEF	285.37
		INTRUST BANK	SAVINGS BOND	84.37
			SAVINGS BOND	84.37
		JUNCTION CITY FIRE FIGHTERS ASSOCIATIO	I.A.F.F. LOCAL 3309	945.00
			I.A.F.F. LOCAL 3309	924.81
		JUNCTION CITY POLICE	JCPOA	750.00
			JCPOA	750.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	10,247.76
			STATE WITHHOLDING	10,087.01
		KANSAS PUBLIC EMPLOYEES	KPERS #1	2,113.79
			KPERS #1	2,088.35
			KP&F	11,729.57
			KP&F	11,824.03
			KPERS #2	638.87
			KPERS #2	643.00
		POLICE & FIREMEN'S	POLICE & FIRE INSURANCE	1,172.78
			POLICE & FIRE INSURANCE	1,150.78
		INTRUST BANK	FIRST STATE BANK	2,265.34
			FIRST STATE BANK	2,265.34
		PRE-PAID LEGAL SERVICES,	PREPAID LEGAL	296.49
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	1,088.03
			AFLAC	1,071.97
			AUG 2010 PREMIUMS	16.06
		ROLLING MEADOWS GOLF COURSE	ROLLING MEADOWS GOLF COURS	37.50
			ROLLING MEADOWS GOLF COURS	37.50
		KANSAS STATE TREASURER	AUG 2010 REINSTATEMENT FEE	831.00
			AUG 2010 JE FEES	185.50
			AUG 2010 LET FEES	7,234.00
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	305.73
			UNITED WAY	<u>304.86</u>
			TOTAL:	161,009.05
GENERAL FUND	GENERAL FUND	LAVERNE CUMMINGS	DAYCARE REG REFUND	<u>35.00</u>
			TOTAL:	35.00
INFORMATION SYSTEMS	GENERAL FUND	NEX-TECH	INFORMATION SYSTEMS	<u>5.08</u>
			TOTAL:	5.08
ADMINISTRATION	GENERAL FUND	ING LIFE INSURANCE & ANNUITY COMPANY	ING	334.62
			ING	334.62
		KANSAS COURT OF TAX APPEALS	PROPERTY VALUATION EXEMPTI	10.00
			PROPERTY VALUATION EXEMPTI	10.00
			PROPERTY VALUATION EXEMPTI	10.00
			PROPERTY VALUATION EXEMPTI	10.00
			PROPERTY VALUATION EXEMPTI	10.00
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			PROPERTY VALUATION EXEMPTI	10.00
			PROPERTY VALUATION EXEMPTI	10.00
			PROPERTY VALUATION EXEMPTI	50.00
			PROPERTY VALUATION EXEMPTI	10.00
			PROPERTY VALUATION EXEMPTI	10.00
		DAVE'S ELECTRIC, INC.	CHESTNUT POLE LIGHT	3,046.56
		GEARY COUNTY APPRAISER	2010-NEIGHBORHOOD REVITAL.	100.00
			2010-NEIGHBORHOOD REVITAL.	100.00
		ROBERT C TAGGART & ASSOC	329 W 18TH-APPR-TURNING CH	2,000.00

ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		MONTGOMERY COMMUNICATIONS INC	REQUEST FOR BIDS	154.55
			G1071 RECORDS RETENTION	425.91
			G1073 ORDINANCE	214.30
			G1074 ORDINANCE	64.68
			INVITATION TO BID	58.26
			INVITATION TO BID	58.26
			NOTICE OF BUDGET HEARING	167.28
			QTRLY TREASURERS REPT	231.40
		NEX-TECH	ADMINISTRATION	29.10
			ADMINISTRATIVE SERVICES	5.08
		OLD TROOPER REGIMENT	HOME AND HOME	125.00
		CARD CENTER	STAPLES-COLORED FOLDERS	71.63
			STAPLES-TONER&CORRECTION T	369.96
			KEY OFFICE-CARTRIDGE/PENS	81.48
			KEY OFFICE-CARTRIDGE/PENS	94.04
			SECURECHECKS-AP CHECKS	376.61
			STACY REST-BUSINESS LUNCH	20.82
		LATHROP AND GAGE	LEGAL - GENERAL	3,052.00
			LEGAL UNE VS CRAFT BUILDER	799.36
			LEGAL - GOODY PLAZA CID	<u>422.07</u>
			TOTAL:	13,087.59
KS	GENERAL FUND	GAME TIME ATHLETICS	MERIDIAN INSECTICIDE	640.00
		NEX-TECH	PARKS	136.57
		REEVES-WIEDEMAN CO.	PLUMBING SUPPLIES	14.77
		ROTHWELL LANDSCAPE INC	IRRIGATION REPAIR	433.02
			IRRIGATION REPAIR	134.98
			IRRIGATION REPAIR	<u>469.57</u>
			TOTAL:	1,828.91
MMING POOL	GENERAL FUND	MARLOS DILLARD	POOL PARTY REFUND	160.00
		SECURITY SOLUTIONS INC	REATTACH BEAM TO PUMPHOUSE	55.00
		SNACK EXPRESS	CHEESEBURGERS	36.00
			CO2 TANK	<u>33.00</u>
			TOTAL:	284.00
ULANCE	GENERAL FUND	JACOB KIRKLAND	2010 UNIFORM ALLOWANCE	100.00
		KA-COMM	SERVICE CONTRACT/MAINT AMB	173.50
		FIRESTONE MASTER CAR SERV	REPAIR FLAT TIRE/M1	48.99
		CLIA LABORATORY PROGRAM	CLIA LABORATORY PROGRAM	150.00
		NATHAN DIXON	2010 UNIFORM ALLOWANCE	100.00
		NEX-TECH	AMBULANCE	<u>33.66</u>
			TOTAL:	606.15
MAL SHELTER	GENERAL FUND	GEARY COUNTY CLERK	JULY 2010-ANIMAL SHELTER F	<u>7,101.00</u>
			TOTAL:	7,101.00
NTY/INS ZONING SVCS	GENERAL FUND	GEARY COUNTY PUBLIC WORKS	726 - Sort 1	50.23
			726 - Sort 2	170.43
		MONTGOMERY COMMUNICATIONS INC	S3080 ZONING CHANGE	101.01
			S3082 REZONING	103.15
			S3081 ZONING CHANGE	98.88
			PUBLIC HEARING	60.40
			NOTICE OF PUBLIC HEARING	75.36
		NEX-TECH	ZONING/COUNTY INSPECTION	<u>5.06</u>
			TOTAL:	664.52



ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
ES ENFORCEMENT	GENERAL FUND	F & R SERVICES	BLIGHTS-8 LOTS TOTAL=600.0	600.00
			BLIGHTS-7 LOTS TOTAL=350.0	350.00
			BLIGHTS-9 LOTS TOTAL=450.0	450.00
		GEARY COUNTY PUBLIC WORKS	720 - Sort 1	73.64
			720 - Sort 2	151.49
			FUEL SURCHARGE	8.48
		MONTGOMERY COMMUNICATIONS INC	R2620 CONDEMNATION	214.30
			R2594 CONDEMNATION	207.89
		NEX-TECH	CODE ENFORCEMENT	12.71
			TOTAL:	2,068.51
ICE	GENERAL FUND	KACA	KACA 2010 ANNUAL TRAINING	90.00
		DISC	1024564 DATA SVCS MAY 2010	315.97
		KA-COMM	90260 LIGHTBAR UNIT 216	103.50
			90261 STROBE UNIT 216	186.52
			90444 RADAR UNIT 201	476.95
			SERVICE CONTRACT/MAINT POL	188.50
			SERVICE CONTRACT/MAINT POL	188.50
			90733 ARMREST	60.00
			90745 BUMPER/BOX LIGHT #20	68.75
			90844 CODE 3 LED LIGHT #21	104.00
			PD FUEL JULY 2010	9,033.31
		GEARY COUNTY PUBLIC WORKS	3145252 WEATHER RADAR	96.00
		TELVENT DTN	POLICE	71.48
		NEX-TECH	DISPATCH	71.48
		THE PRINTERY	20493 NUISANCE DOOR TAGS	158.00
			20722 EVIDENCE CARDS	279.00
			20757 ABANDONED VEHICLE ST	349.00
		CARD CENTER	GALLS-CITATION HOLDER	76.32
			CASEYS-TRAINING REYNOLDS/J	37.00
			KTA-TRAINING-REYNOLDS/J BR	2.50
			KUM&GO-TRAINING-REYNOLDS/J	29.57
			KTA-TRAINING-REYNOLDS/J BR	2.50
			REMINGTON-870 REPAIR	147.03
			BOX&SHIP-SHIPPING COMPUTER	93.50
			996J&R-ALT/BRAKES/WIPER #2	394.30
			1002J&R-A/C,HTR CORE #219	525.81
			1005J&R-WHL CYLN,PLUGS,SEA	573.50
			149032ORAP-BLOWER SW #218	11.99
			157104ORAP-ALTERNATOR #221	201.24
			156151ORAP-SPARKPLUG#218	4.29
			156203ORAP-SENSA-TRAC#219	54.34
			158784ORAP-WIPER BLADE #21	15.18
			160299ORAP-WIPER BLADE #24	4.74
			159157ORAP-STR WHL CVR-RAN	6.99
			161617ORAP-ALTERNATOR #216	40.00-
			161545ORAP ALTERNATOR #216	305.99
			163655ORAP-PLUG,WHL CYL, #	111.54
			ORAP UNDERPAYMENT	5.68
			1014J&R-LOF,TIRE ROTATE #2	60.87
			1020J&R-LOF,TIRE ROTATE #2	62.86
			1013J&R-LOF,TIRE ROTATE #2	60.87
			1011J&R-LOF TIRE ROTATE #2	62.86
			1010J&R-LOF,TIRE ROTATE #2	60.87
			1009J&R-LOF,TIRE ROTATE #2	67.60
			1008J&R-LOF, TIRE ROTATE #	60.87

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			86576FIRESTONE-TIRES UNIT	359.56
			STAPLES-TONER CARTRIDGE	155.49
			16542 B&K-COFFEE, CREAMER	64.60
			STAPLES-DVD CASES	99.90
			69009 HEADSET PARTS-EAR LO	20.54
			49396 CO TREAS-VEHICLE TAG	56.38
			93436 CPL-UNIFORM CLEANING	114.70
			93669 CPL-UNIFORM CLEANING	112.85
			93702 CPL-UNIFORM CLEANING	53.65
			93735 CPL-UNIFORM CLEANING	25.90
			93794 CPL-UNIFORM CLEANING	53.65
			93816 CPL-UNIFORM CLEANING	18.50
			93817 CPL-UNIFORM CLEANING	66.60
			93891 CPL-UNIFORM CLEANING	33.30
			93919 CPL-UNIFORM CLEANING	22.20
			93950 CPL-UNIFORM CLEANING	81.40
			94023 CPL-UNIFORM CLEANING	27.75
			94044 CPL-UNIFORM CLEANING	22.20
			STAPLES - CALCULATOR	54.99
			94080 CPL-UNIFORM CLEANING	46.25
			94152 CPL-UNIFORM CLEANING	11.10
			94173 CPL-UNIFORM CLEANING	25.90
			WALMART - CERTIFICATE FRAM	8.00
			LEIGHOFF,CHARLES-JULY 2010	0.03
			GREAT WOLF-KACA TRNG-ACO	136.76
			CARY CO-LINERS,TOWELS,TISS	156.65
			2BATTERY-FLASHLIGHT REPAIR	73.40
			BOX&SHIP-SHIPPING TASER	16.15
			FIRESTONE-FLAT REPAIR #221	11.00
			AMER FLOOR MATS-MATS SGT/L	105.35
			MIL OUTLET-UNIFORM SEWING	6.00
			BOX&SHIP-SHIPPING RADAR #2	35.07
			WTV-GLUE-HEADSET REPAIR	2.79
			HUBCAPZONE.COM-HUBCAPS #25	160.00
			DICK EDWARDS-MIRROR LEVER#	29.55
			MAGNUM-UNIFORM SUSPENDERS	170.80
			MIL OUTLET-UNIFORM NAME TA	8.00
			CARY CO-PAPER TOWELS	141.20
		CARDINAL INSURANCE	NOTARY BOND/FEE -SCOGGINS	75.00
		WEST PAYMENT CENTER	821081271 CLEAR SUBSCRIPTI	151.00
			TOTAL:	17,655.93
B	GENERAL FUND	KA-COMM	PAGER BATTERIES X 4	56.00
			SERVICE CONTRACT/MAINT FIR	173.50
		UNIVERSITY OF KANSAS	FFII FOR BETTLES, SPRADLIN	100.00
		NEX-TECH	FIRE	33.66
		THE PRINTERY	INSPECTION FORMS, SCRATCH	342.00
			TOTAL:	705.16
EET	GENERAL FUND	F & R SERVICES	14TH ST-OPPOSITE RATHERT F	20.00
			1701 N ADAMS	15.00
			BEL AIR & FOGARTY	10.00
			8TH ST AT GARFIELD DITCH	5.00
			AIRPORT/JACKSON ST ROW-ALL	710.00
			ANNEX PARKING LOT BEHIND D	12.00
			COMMONWEALTH DRIVE ROW	25.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			GRANT AVE ISLAND-FRONTAGE	300.00
			DEER TRAIL-ROW	0.00
			LITTLE THEATER	0.00
			MONROE ST DRAINS	10.00
			MOSS CIR ISLAND	5.00
			VACANT LOT E OF 1032 W 17T	0.00
			WW PLANT-OUTSIDE FENCE	0.00
			WATER PLANT-EXCEPT AROUND	400.00
			WESTWOOD BLVD-ISLANDS	150.00
			WATER STORAGE AT LAWNDALE	0.00
			BRIDGE GUARDRAIL-EISEN & 1	5.00
			E 11TH/210 E 11TH	27.00
			514 W 14TH ST	27.00
			516 W 14TH ST	27.00
			438 W 11TH ST	27.00
			SNELL	0.00
			836 W 12TH ST	27.00
			EAST 10TH ST PROPERTY	100.00
			14TH ST TRAILER COURT AREA	0.00
			K-18 ROW	50.00
			ELM DALE ROAD ROW	75.00
			GOLF COURSE	110.00
			CHESTNUT&I-70 RAMPS	630.00
			PUMP STATIONS @ ADAMS ST	75.00
			ELM DALE ROAD RIGHT SIDE	150.00
			HWY 57	1,000.00
			AREA IN FRONT OF CRACKER B	100.00
			RUCKER ROAD	600.00
			S WIND TO KJCK ON EAST SID	0.00
			12 ACRES OF NEW GRASS AIR	240.00
			600 BLOCK E 7TH ST-ROW	12.00
			603 SKYLINE DRIVE	8.00
			6TH ST DRAINAGE DITCH-900	0.00
			714 SKYLINE DRIVE	8.00
			GOLDENBELT BLVD-ROW	300.00
			ASH STREET(600 BLOCK)	10.00
			DITCH BETWEEN 100 BLK E VI	10.00
			EAST 6TH ST PARKING LOT	10.00
			EAST 6TH ST ROW	450.00
			E CHESTNUT-ROW & FRONTAGE	50.00
			FIRE STATION #2- LACY DRIV	55.00
			HOLLY LANE ISLAND	5.00
			LACY DRIVE	100.00
			MEADOW LANE ROW	10.00
			PUBLIC PROPERTY W 2ND	20.00
			ST MARYS ROAD ROW(CHURCH)	30.00
			TRUE VALUE HARDWARE EASEME	0.00
			VACANT DRAINAGE DITCH-RILE	12.00
			INDUSTRIAL PARK ROW	100.00
			WATER TOWER-SPRUCE ST	45.00
			WATER TOWER-WEST ASH ST	40.00
			CHADWICK	5.00
			DITCH LINE RR PROPERTY-225	10.00
			E ASH ST NEAR RR TRACKS	70.00
			SVR ROW	180.00
			SVR ADDITION ISLANDS	80.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			STRAUSS BLVD ISLANDS R/W	300.00
			I 70 ROW	600.00
			326 S WASHINGTON	0.00
			EASH ASH ST LIFT STATION	50.00
			SOUTH JACKSON ST DRAINAGE	30.00
			ASH ST CHESTNUT SOUTH	230.00
			136 E 3RD	27.00
			225 E 3RD	27.00
			6TH ST UNDERPASS	100.00
			OLD HORIZONS RV PROPERTY	0.00
			SANDUSKY ROW	75.00
			THE BLUFFS AREA	100.00
			TOM NEAL INDUSTRIAL PARK A	200.00
			JACKSON T ROW FRONT-AIR PO	100.00
			WESTWOOD BLVD ISLANDS	150.00
			GRANT AVE ISLANDS/FRONTAGE	150.00
			SVR-R/W-K-18 N TO RUCKER R	600.00
			FOX SPARROW ENTRANCES SUTT	75.00
			SKYLINE & JACKSON ROW	30.00
			SOUTHWIND/KJCK EAST TO TOW	200.00
			600 BLOCK E 7TH ST-ROW	12.00
			603 SKYLINE DRIVE	8.00
			6TH ST DRAINAGE DITCH-900	25.00
			714 SKYLINE DRIVE	8.00
			GOLDENBELT BLVD-ROW	300.00
			ASH STREET(600 BLOCK)	10.00
			DITCH BETWEEN 100 BLK E VI	10.00
			EAST 6TH ST PARKING LOT	10.00
			EAST 6TH ST ROW	450.00
			E CHESTNUT-ROW & FRONTAGE	50.00
			FIRE STATION #2- LACY DRIV	55.00
			HOLLY LANE ISLAND	5.00
			LACY DRIVE	100.00
			MEADOW LANE ROW	10.00
			PUBLIC PROPERTY W 2ND	20.00
			ST MARYS ROAD ROW(CHURCH)	30.00
			TRUE VALUE HARDWARE EASEME	0.00
			VACANT DRAINAGE DITCH-RILE	12.00
			INDUSTRIAL PARK ROW	100.00
			WATER TOWER-SPRUCE ST	45.00
			WATER TOWER-WEST ASH ST	40.00
			CHADWICK	5.00
			DITCH LINE RR PROPERTY-225	10.00
			E ASH ST NEAR RR TRACKS	70.00
			SVR ROW	180.00
			SVR ADDITION ISLANDS	80.00
			STRAUSS BLVD ISLANDS R/W	300.00
			I 70 ROW	600.00
			326 S WASHINGTON	27.00
			EASH ASH ST LIFT STATION	50.00
			SOUTH JACKSON ST DRAINAGE	30.00
			ASH ST CHESTNUT SOUTH	230.00
			136 E 3RD	27.00
			225 E 3RD	27.00
			6TH ST UNDERPASS	100.00
			OLD HORIZONS RV PROPERTY	0.00

ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			SANDUSKY ROW	75.00
			THE BLUFFS AREA	100.00
			TOM NEAL INDUSTRIAL PARK A	200.00
			JACKSON T ROW FRONT-AIR PO	100.00
			WESTWOOD BLVD ISLANDS	150.00
			GRANT AVE ISLANDS/FRONTAGE	150.00
			SVR-R/W-K-18 N TO RUCKER R	600.00
			FOX SPARROW ENTRANCES SUTT	75.00
			SKYLINE & JACKSON ROW	30.00
			SOUTHWIND/KJCK EAST TO TOW	0.00
			WEEK OF JULY 26 2010-DIFF	<u>300.00</u>
			TOTAL:	14,412.00
RT	GENERAL FUND	KONZA LAW LLC	VERONICA HUNTER 10-08514A	250.00
		SEHEE GERMANN	TRANSLATION FOR ANN LEISS	60.00
		ADDAIR THURSTON, CHTD.	DONNICE I. HALL 09-14049	250.00
			DONNICE I. HALL 08-24689	250.00
			JASON C. CURRY 10-09121C	250.00
			ZUEHRE GILMORE 10-06145A	250.00
		WHITE, SANTINE	BOND REFUND 06-5644	1,000.00
		FRANK, JOHN	BOND REFUND TT129286	19.00
		STEWART, MICHAEL	BOND REFUND 10-1498C	185.00
		AIZPRUA. LAURA	AUGUST 19, 2010	20.00
			AUGUST 26, 2010	10.00
			AUGUST 30, 2010	10.00
		NEX-TECH	MUNICIPAL COURT	12.70
		CINTAS #451	MATS @ MUNICIPAL COURT	14.00
			MATS @ MUNICIPAL COURT	14.00
			MATS @ MUNICIPAL COURT	<u>14.00</u>
			TOTAL:	2,608.70
OPERA HOUSE	GENERAL FUND	CL HOOVER OPERA HOUSE	CL HOOVER OPERA HOUSE	18,032.51
		NEX-TECH	OPERA HOUSE	<u>12.71</u>
			TOTAL:	18,045.22
REATION	GENERAL FUND	CASH-WA DISTRIBUTING	TOWELS, TISSUE, MOP HEAD	225.84
		MATT MICHEEL	TENNIS CAMP JUNE 2010	90.00
		EAE ENTERPRISES	SOFTBALL T-SHIRTS	195.40
		MASSCO	WINDEX, SOAP	312.12
		NEX-TECH	RECREATION	12.42
		CINTAS #451	MATS	<u>27.48</u>
			TOTAL:	863.26
-DEPARTMENTAL	GRANTS	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	1,020.07
			FEDERAL WITHHOLDING	995.95
			FICA WITHHOLDING	268.11
			FICA WITHHOLDING	256.02
			MEDICARE WITHHOLFING	169.08
			MEDICARE WITHHOLFING	168.32
		ING LIFE INSURANCE & ANNUITY COMPANY	ING	175.00
			ING	173.71
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	24.30
			AMERICAN UNITED LIFE	24.30
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	79.72
			BLUE CROSS BLUE SHIELD	79.72
			BLUE CROSS BLUE SHIELD	67.20

ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			BLUE CROSS BLUE SHIELD	66.56
			BLUE CROSS BLUE SHIELD	202.04
			BLUE CROSS BLUE SHIELD	202.04
		JUNCTION CITY FIREFIGHTERS AID ASSOCIA	FIREFIGHTERS AID ASSOCIATI	12.50
			FIREFIGHTERS AID ASSOCIATI	12.41
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	29.63
			DELTA DENTAL OF KANSAS	29.63
		FIREMEN'S RELIEF ASSOCIATION	FIREMANS RELIEF	32.40
			FIREMANS RELIEF	32.15
		JUNCTION CITY FIRE FIGHTERS ASSOCIATIO	I.A.F.F. LOCAL 3309	105.00
			I.A.F.F. LOCAL 3309	104.19
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	441.59
			STATE WITHHOLDING	439.28
		KANSAS PUBLIC EMPLOYEES	KPERS #1	186.73
			KPERS #1	178.93
			KP&F	523.37
			KP&F	533.39
		POLICE & FIREMEN'S	POLICE & FIRE INSURANCE	124.88
			POLICE & FIRE INSURANCE	124.58
		INTRUST BANK	FIRST STATE BANK	106.03
			FIRST STATE BANK	106.03
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	48.06
			AFLAC	48.06
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	31.68
			UNITED WAY	<u>31.55</u>
			TOTAL:	7,254.21
F HELP HOUSING	GRANTS	NEX-TECH	SELF HELP HOUSING	5.08
		CARD CENTER	GURUDEVE-SKID LOADER FUEL	15.00
			ORSCHERN-RAIN TRAIN	49.99
			SIRLOIN STOCKADE-TRAINING	<u>16.90</u>
			TOTAL:	86.97
FFS		RURAL HOUSING DIST SECURITY BANK OF KANSAS CITY	TRUST 1311210 SERIES 2006	310,000.00
			TRUST 1311210 SERIES 2006	87,443.75
			TRUST 1311210 SERIES 2006	<u>233.39</u>
			TOTAL:	397,677.14
-DEPARTMENTAL	SPIN CITY	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	96.86
			FEDERAL WITHHOLDING	94.94
			FICA WITHHOLDING	231.70
			FICA WITHHOLDING	226.65
			MEDICARE WITHHOLFING	54.19
			MEDICARE WITHHOLFING	53.00
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	60.99
			STATE WITHHOLDING	61.65
		KANSAS PUBLIC EMPLOYEES	KPERS #1	44.80
			KPERS #1	<u>44.80</u>
			TOTAL:	969.58
N CITY	SPIN CITY	CASH-WA DISTRIBUTING	CONCESSION FOOD	239.95
			CUPS	23.57
			TOWELS & SOAP	58.47
		SECURITY SOLUTIONS INC	MONITORING	22.00
		SNACK EXPRESS	HAMBURGER,POP,CHIPS	331.00
		CARD CENTER	MUSIC	4.56

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			PIZZA, ICE CREAM, MILK	29.78
			OFFICE SUPPLIES, BALLOONS	78.00
			THERMAL PAPER	36.99
			SOCKS, HAND SOAP	20.83
			ICECREAM SCOOPER, THERM.	12.85
			ICE CREAM, CAKE	39.88
			OFFICE SUPPLIES	8.18
			PIZZA	16.28
			PAINT SUPPLIES	7.99
			COTTON CANDY MACHINE/SUPPL	239.87
			REFUND/EXTRA CHARGE	28.80-
			MUSIC	49.15
			MUSIC	1.29
			MUSIC REFUND	1.29-
			MUSIC REFUND	26.83-
			MUSIC REFUND	4.56-
			MUSIC	0.99
			TRUE VALUE-PAINT	<u>178.74</u>
			TOTAL:	1,338.89

-DEPARTMENTAL	MILITARY AFFAIRS/O	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	188.08
			FEDERAL WITHHOLDING	188.08
			FICA WITHHOLDING	159.16
			FICA WITHHOLDING	159.16
			MEDICARE WITHHOLDING	37.22
			MEDICARE WITHHOLDING	37.22
	KANSAS DEPT OF REVENUE		STATE WITHHOLDING	84.22
			STATE WITHHOLDING	84.22
	KANSAS PUBLIC EMPLOYEES		KPERS #1	77.09
			KPERS #1	77.09
	UNITED WAY OF JUNCTION CITY-GEARY COUN		UNITED WAY	10.00
			UNITED WAY	<u>10.00</u>
			TOTAL:	1,111.54

-DEPARTMENTAL	WATER & SEWER FUND ALL AMERICAN ADMINISTRATORS (LOYAL AME	CANCER PLAN	12.03
		CANCER PLAN	12.03
	FAMILY SUPPORT PAYMENT CENTER (MISSOUR	MACSS #41061331/ CV103-753	154.85
		MACSS #41061331/ CV103-753	154.85
	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	2,361.81
		FEDERAL WITHHOLDING	2,222.50
		FICA WITHHOLDING	1,496.19
		FICA WITHHOLDING	1,426.78
		MEDICARE WITHHOLDING	349.94
		MEDICARE WITHHOLDING	333.70
	ING LIFE INSURANCE & ANNUITY COMPANY	ING	221.00
		ING	221.00
	AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	67.21
		AMERICAN UNITED LIFE	66.88
	BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	33.28
		BLUE CROSS BLUE SHIELD	33.28
		BLUE CROSS BLUE SHIELD	139.51
		BLUE CROSS BLUE SHIELD	139.51
		BLUE CROSS BLUE SHIELD	99.79
		BLUE CROSS BLUE SHIELD	99.79
		BLUE CROSS BLUE SHIELD	292.55
		BLUE CROSS BLUE SHIELD	292.55

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		CITY OF JUNCTION CITY	CITY OF JUNCTION CITY (G-F	1.50
			CITY OF JUNCTION CITY (G-F	1.50
		COLONIAL SUPPLEMENTAL INSURANCE	COLONIAL INSURANCE	10.00
			COLONIAL INSURANCE	10.00
			COLONIAL INSURANCE	5.40
			COLONIAL INSURANCE	5.40
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	73.98
			DELTA DENTAL OF KANSAS	73.46
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	996.95
			STATE WITHHOLDING	939.57
		KANSAS DEPT. OF REVENUE	WATER PROT FEE 2ND QTR 201	4,699.81
		KANSAS PUBLIC EMPLOYEES	KPERS #1	752.13
			KPERS #1	707.33
			KPERS #2	366.39
			KPERS #2	366.39
		INTRUST BANK	FIRST STATE BANK	133.37
			FIRST STATE BANK	133.37
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	9.45
			AFLAC	9.45
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	53.34
			UNITED WAY	<u>53.34</u>
			TOTAL:	19,633.16
ER PRODUCTION	WATER & SEWER FUND	BURNS & MCDONNELL INC.	PRO SERV ASST WWTPPLANTS	<u>3,283.08</u>
			TOTAL:	3,283.08
ER ADMINISTRATION	WATER & SEWER FUND	KANSAS DEPT. OF REVENUE	CLEAN DRINK FEE 2ND QTR 20	4,406.07
		BRINKS INCORPORATED	WATER-JULY 2010	371.07
		NEX-TECH	WATER ADMINISTRATION	26.01
		CARD CENTER	KEY OFFICE-FOLDERS/TAPE	89.28
			KEY OFFICE-TAPE FOR REGIST	64.09
			KEY OFFICE-INK CARTRIDGE-M	299.99
			KEY OFFICE-INK CARTRIDGE-M	299.99
		CINTAS #451	SCRAPER/BROWN MAT	24.96
			UNIFORMS-LANGDON, KENNY	9.74
			SCRAPER/BROWN MAT	40.36
			UNIFORMS-LANGDON, KENNY	9.74
		SAM'S CLUB	INTEREST	<u>94.34</u>
			TOTAL:	5,735.64
-DEPARTMENTAL	ROLLING MEADOWS GO	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	1,246.09
			FEDERAL WITHHOLDING	1,107.73
			FICA WITHHOLDING	736.02
			FICA WITHHOLDING	690.24
			MEDICARE WITHHOLFING	172.15
			MEDICARE WITHHOLFING	161.41
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	69.47
			AMERICAN UNITED LIFE	69.47
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	33.60
			BLUE CROSS BLUE SHIELD	33.60
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	42.64
			DELTA DENTAL OF KANSAS	42.64
		INTRUST BANK	SAVINGS BOND	37.50
			SAVINGS BOND	37.50



DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	476.80
			STATE WITHHOLDING	436.26
		KANSAS PUBLIC EMPLOYEES	KPERS #1	327.80
			KPERS #1	308.33
			KPERS #2	56.55
			KPERS #2	59.03
		INTRUST BANK	FIRST STATE BANK	25.84
			FIRST STATE BANK	25.84
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	15.00
			UNITED WAY	15.00
			TOTAL:	6,337.41
F COURSE		ROLLING MEADOWS GO JOHN DEERE LANDSCAPES/LESCO	DOUBLE EAGLE BLEND	400.50
		JOSE AND CASTILLO	GUTTER REPAIR	120.00
		CONNELL PLBG & HTG INC	AIR CONDITION SERVICE-COMP	2,484.10
		CROWN DISTRIBUTORS, INC.	COORS ORDER	81.00
			COORS ORDER	253.80
			COORS ORDER	186.79
		FLINT HILLS BEVERAGE LLC	BUD ORDER	329.12
			BUD ORDER	217.79
		TITLEIST	FALL CLASSIC BALL ORDER	500.04
			TITLEIST BALL ORDER	1,056.66
		HORNUNGS GOLF SALES	CART KEY TAGS	125.72
		SECURITY SOLUTIONS INC	MONTHLY SERVICE	159.19
		BRINKS INCORPORATED	GOLF-JULY 2010	134.82
		NIVEL PARTS & MANUFACTURING CO., LLC	CART KEYS	70.68
		NIKE USA, INC	NIKE STOCK HATS	220.39
			TOUR PLEATED PANT-PETERSON	234.78
		NEX-TECH	GOLF COURSE	2.58
		PEPSI	PEPSI	395.71
			PEPSI	131.80
			PEPSI ORDER	253.61
		CARD CENTER	FOOD SUPPLIES-DILLONS	6.38
			MERCHANDISE-HATCO INTER	138.19
			MERCHANDISE-HATCO INTER	33.55
			FOOD SUPPLIES-DILLONS	65.39
			FOOD SUPPLIES-DILLONS	8.80
			FOOD SUPPLIES-DILLONS	8.80
			Geary Grain - Dogfood/Lee	25.40
			Milleson - Fuse Holder	1.88
			Orscheln - Oil/Grease Abso	13.38
			Engstrom's - Hyd Cyl repai	18.00
			Reeves/Wiedeman - Glue/Pri	23.24
			Box N Ship - Ship seal kit	4.86
		SAM'S CLUB	CUPS/STRAWS	56.84
			FORKS, TRAYS	29.42
			PRETZELS, MUFFINS, PEANUTS	172.47
			TRAYS, PEANUTS, CUPS	170.03
			ROLLS, DONUTS, FILTER, FOOD	237.59
			BATH TISSUE, TRASH BAGS	87.16
			GO JO	8.76
			TIME CARDS,	13.96
		TEXOMA GOLF INC	DIVOT TOOLS	164.19
		TIELKE ENTERPRISE, LLC	SANDWICH ORDER	83.87
			SANDWICH ORDER	37.34
			SANDWICH ORDER	17.91

ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	8,786.49
-DEPARTMENTAL	STORM WATER	ALL AMERICAN ADMINISTRATORS (LOYAL AME	CANCER PLAN	4.27
			CANCER PLAN	4.27
		INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	37.07
			FEDERAL WITHHOLDING	37.07
			FICA WITHHOLDING	21.31
			FICA WITHHOLDING	21.31
			MEDICARE WITHHOLFING	4.98
			MEDICARE WITHHOLFING	4.98
		AMERICAN UNITED LIFE INSURANCE COMPANY	AMERICAN UNITED LIFE	4.16
			AMERICAN UNITED LIFE	4.16
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	9.97
			BLUE CROSS BLUE SHIELD	9.97
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	2.67
			DELTA DENTAL OF KANSAS	2.67
		INTRUST BANK	SAVINGS BOND	3.13
			SAVINGS BOND	3.13
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	14.37
			STATE WITHHOLDING	14.37
		KANSAS PUBLIC EMPLOYEES	KPERS #1	14.25
			KPERS #1	14.25
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	0.50
			UNITED WAY	0.50
			TOTAL:	233.36
-DEPARTMENTAL	ECONOMIC DEVELOPME	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	263.56
			FEDERAL WITHHOLDING	227.57
			FICA WITHHOLDING	186.05
			FICA WITHHOLDING	170.55
			MEDICARE WITHHOLFING	43.51
			MEDICARE WITHHOLFING	39.88
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	55.45
			BLUE CROSS BLUE SHIELD	39.86
			BLUE CROSS BLUE SHIELD	39.86
		DELTA DENTAL (PAYROLL)	DELTA DENTAL OF KANSAS	10.66
			DELTA DENTAL OF KANSAS	10.66
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	137.37
			STATE WITHHOLDING	121.24
		KANSAS PUBLIC EMPLOYEES	KPERS #1	83.07
			KPERS #1	73.07
			KPERS #2	64.80
			KPERS #2	64.80
		INTRUST BANK	FIRST STATE BANK	50.00
			FIRST STATE BANK	50.00
		AMERICAN FAMILY LIFE ASSURANCE COMPANY	AFLAC	32.83
			AFLAC	32.83
		UNITED WAY OF JUNCTION CITY-GEARY COUN	UNITED WAY	10.00
			UNITED WAY	10.00
			TOTAL:	1,873.07
NOMIC DEVELOPMENT	ECONOMIC DEVELOPME	CULLIGAN OF NORTHEAST KANSAS	WATER AND BOTTLE DEPOSIT	39.19
		FOLEY EQUIPMENT	GENERATOR	1,686.43
		U.S. CELLULAR	MINUTES PACKAGE	89.89
			226-1588 SHULTE (BLACKBERR	13.28

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		CONNELL PLBG & HTG INC	TOILET INSTALLATION	122.83
		GARAGE DOOR PLACE	SERVICED DOORS & OPERATORS	663.00
			REPLACE 2 DOORS	5,284.95
		JC SEAMLESS GUTTERING	PARTIAL ROOF REPLACEMENT	28,390.00
		NEX-TECH	EDC	10.20
		CARD CENTER	DILLONS-COKE, WATER	23.37
			TRUE VALUE-KEYS/PADLOCK	27.76
			RADIO SHACK-4GB THUMB DR	12.99
			DILLONS-BOARD BREAKFAST	6.50
			WALMART-TRASHBAGS/AIR FRES	34.95
			TRUE VALUE-WINDOW AC UNIT	<u>239.99</u>
			TOTAL:	36,645.33
KSON/6TH INTERSECTI	SPECIAL HIGHWAY FU	KANSAS DEPT OF TRANSPORTATION	6TH AND JACKSON	<u>5,630.05</u>
			TOTAL:	5,630.05
STER/6TH INTERSECTI	SPECIAL HIGHWAY FU	KANSAS DEPT OF TRANSPORTATION	6TH AND WEBSTER	<u>4,297.74</u>
			TOTAL:	4,297.74
CIAL HIGHWAY	SPECIAL HIGHWAY FU	NEX-TECH	ENGINEERING	<u>12.71</u>
			TOTAL:	12.71
ITATION ADMINISTRAT	SANITATION FUND	VEOLIA WATER NORTH AMERICA	428 W 13TH-HAMMOND	62.00
			901 W 11TH-MOORE	310.00
			817 W 11TH-MOORE	77.50
			428 W 13TH-HAMMOND	62.00
			901 W 11TH-MOORE	310.00
			817 W 11TH-MOORE	77.50
			1516 N JEFFERSON	115.00
			1705 MCFARLAND	115.00
			1212 W ASH	215.00
			140 E 2ND	115.00
			1516 N JEFFERSON	115.00
			1705 MCFARLAND	115.00
			1212 W ASH	215.00
			140 E 2ND	125.00
			304 W 15TH	120.00
			1056 CEDAR	115.00
			1010 W 8TH	215.00
			513 S WASHINGTON	115.00
			125 SUNSET	130.00
			1419 CANDLELIGHT	215.00
			510 SKYLINE-OVER CHARGE	230.00-
			1005 HIGHLAND-OVER CHARGE	115.00-
			1056 CEDAR	115.00
			1010 W 8TH	215.00
			513 S WASHINGTON	115.00
			603 W 6TH	130.00
			1224 W 19TH	115.00
			531 W 8TH	115.00
			1104 MARSHALL	<u>115.00</u>
			TOTAL:	3,514.00
1 IMPROVEMENT	CAPITAL IMPROVEMEN	SECURITY BANK OF KANSAS CITY	VENTRIA TRUST 1700610 SEPT	99,965.15
		SPIRIT OF 76	EDC GRANT CAPGEMINI	<u>42,709.06</u>
			TOTAL:	142,674.21

ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
LITY CHARGES	UTILITY CHARGES FU DS&O RURAL ELECTRIC		GOLF CLUB HOUSE	1,818.20
			GOLF COURSE	2,660.77
			GOLF COURSE-CART SHED	170.54
			1807 LYDIA LN-WARNING SIRE	21.24
			SEWER LIFT	31.18
			BROOKEBEND LIFT STATION	78.12
			LIFT STATION- HILLTOP #5	76.04
			2542/2548 JAGER DR SWR LIF	236.58
			2326/2321 OSPREY SWR LIFT	237.78
			2515 WILMA-OLIVIA FARMS-LI	76.71
			QUINTON POINT SIREN	18.83
			LIGHTS AT HUNTERS RIDGE	554.66
			LIGHTS AT HARGRAVES #2	61.69
			LIGHTS AT INDIAN RIDGE/MID	115.80
			LIGHTS AT HARGRAVES#5	123.38
			LIGHTS AT OLIVIA FARMS	45.94
			LIGHTS AT SUTTERWOODS	296.10
			LIGHTS AT SUTTER HIGHLANDS	246.75
			LIGHTS AT MANN'S RANCH	70.50
			LIGHTS AT HARGRAVES #4	11.75
			LIGHTS AT HARGRAVES #1	23.50
			LIGHTS AT HILLTOP #5	7.83
			LIGHTS AT HARGRAVES #3	36.04
			LIGHTS ALONG SVR	214.27
	KANSAS GAS SERVICE		133 W 7TH -AUGUST 2010	28.46
			339 W 18TH-AUGUST 2010	60.40
	WESTAR ENERGY		135 W 7TH-AUG 2010(OPERA)	4,320.27
			1821 CAROLINE-OCTOBER 2009	28.25
			TOTAL:	11,671.58
LOYEE BENEFITS	EMPLOYEE BENEFITS	INTERNAL REVENUE SERVICE	FICA WITHHOLDING	7,980.59
			FICA WITHHOLDING	7,350.14
			MEDICARE WITHHOLFING	4,174.67
			MEDICARE WITHHOLFING	4,052.10
	BLUE CROSS BLUE SHIELD OF KS		BLUE CROSS BLUE SHIELD	2,418.88
			BLUE CROSS BLUE SHIELD	2,418.88
			BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	604.72
			BLUE CROSS BLUE SHIELD	604.72
			BLUE CROSS BLUE SHIELD	4,535.40
			BLUE CROSS BLUE SHIELD	4,535.40
			BLUE CROSS BLUE SHIELD	9,373.16
			BLUE CROSS BLUE SHIELD	9,221.98
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	151.18
			BLUE CROSS BLUE SHIELD	453.54
			BLUE CROSS BLUE SHIELD	453.54
			BLUE CROSS BLUE SHIELD	302.36
			BLUE CROSS BLUE SHIELD	302.36
	DELTA DENTAL (PREMIUMS)		AUG 2010 COBRA - JEFFREY B	60.93
			AUG 2010 PREMIUMS	6,274.30
			AUG. 2010 COBRA J. BLACK #	3.59
	KANSAS DEPARTMENT OF REVENUE		MAY 2010 WITHHOLDING PENAL	3,785.71
	KANSAS PUBLIC EMPLOYEES		KPERS #1	6,464.36
			KPERS #1	6,272.44

ARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			KP&F	23,048.78
			KP&F	23,240.67
			KPERS #2	1,340.63
			KPERS #2	1,348.50
		WORKSITE BENEFIT PLAN	AUG. 2010 FLEX ACCT FEES	<u>390.00</u>
			TOTAL:	131,919.43
DOWN SALUTE	SUNDOWN SALUTE	SUNDOWN SALUTE INC	AUG 10 WATER BILL DONATION	<u>514.00</u>
			TOTAL:	514.00
-DEPARTMENTAL	DRUG & ALCOHOL ABU	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	286.46
			FEDERAL WITHHOLDING	286.46
			MEDICARE WITHHOLFING	29.26
			MEDICARE WITHHOLFING	29.26
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	39.86
			BLUE CROSS BLUE SHIELD	39.86
		JUNCTION CITY POLICE	JCPOA	20.00
			JCPOA	20.00
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	109.53
			STATE WITHHOLDING	109.53
		KANSAS PUBLIC EMPLOYEES	KP&F	144.03
			KP&F	<u>144.03</u>
			TOTAL:	1,258.28
-DEPARTMENTAL	SPECIAL LE TRUST F	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING	32.80
			FEDERAL WITHHOLDING	32.80
			FICA WITHHOLDING	32.57
			FICA WITHHOLDING	32.57
			MEDICARE WITHHOLFING	7.62
			MEDICARE WITHHOLFING	7.62
		BLUE CROSS BLUE SHIELD OF KS	BLUE CROSS BLUE SHIELD	8.40
			BLUE CROSS BLUE SHIELD	8.40
		KANSAS DEPT OF REVENUE	STATE WITHHOLDING	15.88
			STATE WITHHOLDING	15.88
		KANSAS PUBLIC EMPLOYEES	KPERS #1	21.85
			KPERS #1	21.85
		INTRUST BANK	FIRST STATE BANK	12.50
			FIRST STATE BANK	<u>12.50</u>
			TOTAL:	263.24
CIAL LAW ENFORCEMEN	SPECIAL LE TRUST F	JENNIFER ARNESON, DVM	FIGO DOG FOOD	69.38
			FIGO EXAM	39.99
		CENTURY LINK	K081702863 DTF PHONE SERVI	37.96
		OMB GUNS	30803 12GA SOCK RD	155.49
		GEARY COUNTY PUBLIC WORKS	DTF FUEL JULY 2010	559.08
		NEX-TECH	DRUG TASK FORCE	5.50
		CARD CENTER	160325ORAP-U JOINT 2003 F1	22.96
			REXS AUTO SALES-VEHICLE DE	300.00
			REXS AUTO SALES-VEHICLE DE	<u>300.00</u>
			TOTAL:	1,490.36
E BUILD 2006	HOME BUILD USD 475	HOME LUMBER CO.	HSH#1402 WEBSTER-KNOBS/FAS	9.25
		WESTAR ENERGY	1402 N WEBSTER-AUG 10-FINA	<u>24.46</u>
			TOTAL:	33.71

```

===== FUND TOTALS =====
01  GENERAL FUND                240,980.08
02  GRANTS                      7,341.18
03  RURAL HOUSING DISTRICT      397,677.14
10  SPIN CITY                   2,308.47
14  MILITARY AFFAIRS/OLD TROO    1,111.54
15  WATER & SEWER FUND          28,651.88
17  ROLLING MEADOWS GOLF FUND    15,123.90
18  STORM WATER                 233.36
19  ECONOMIC DEVELOPMENT        38,518.40
22  SPECIAL HIGHWAY FUND        9,940.50
23  SANITATION FUND             3,514.00
25  CAPITAL IMPROVEMENT FUND    142,674.21
30  UTILITY CHARGES FUND        11,671.58
35  EMPLOYEE BENEFITS FUND      131,919.43
46  SUNDOWN SALUTE              514.00
47  DRUG & ALCOHOL ABUSE FUND    1,258.28
50  SPECIAL LE TRUST FUND       1,753.60
75  HOME BUILD USD 475          33.71
-----
GRAND TOTAL:                   1,035,225.26
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## SELECTION CRITERIA

## SECTION OPTIONS

DOR SET: 01-CITY OF JUNCTION CITY, KS  
DOI: All  
SSIFICATION: All  
K CODE: All  
M DATE: 8/12/2010 THRU 9/01/2010  
M AMOUNT: 9,999,999.00CR THRU 9,999,999.00  
POST DATE: 0/00/0000 THRU 99/99/9999  
CK DATE: 0/00/0000 THRU 99/99/9999

## ROLL SELECTION

ROLL EXPENSES: NO  
CK DATE: 0/00/0000 THRU 99/99/9999

## NT OPTIONS

NT DATE: None  
UENCE: By Department  
CRIPTION: Distribution  
ACCTS: NO  
ORT TITLE: APPROPRIATIONS--AUG 12-SEPT 1 2010  
NATURE LINES: 0

## KET OPTIONS

LUDE REFUNDS: YES  
LU IN ITEM:NO





## CITY COMMISSION MINUTES

August 17, 2010

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, August 17, 2010 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, and Jack Taylor. Staff present was: City Manager Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

### PUBLIC COMMENT

Debra Johnston of 1320 McFarland requested that the City provide information as to why and when the 5 minute limit on public comment was approved.

Pastor Brian Emig stated that he is a member of a small but growing church; he has challenged the congregation to become more than just another church as was suggested at the last Commission meeting. He stated that the church does not have any plans to erase the history at the site.

Vince Devorak a member of Turning Point Church stated that this location is critical for the church, and proximity to Fort Riley is important.

Pastor Dan of Turning Point Church stated that the church is not typical, and the building meets the needs of the congregation.

### CONSENT AGENDA

The consideration and approval of **Appropriation Ordinance A-16-2010** dated July 29, 2010 to August 11, 2010 in the amount of \$872,199.67. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

Approval of the **August 3, 2010** City Commission Meeting Minutes; approval of the **June 22, 2010** Special City Commission Meeting Minutes; approval of the **June 29, 2010** Special City Commission Meeting Minutes; approval of the **August 5, 2010** Special City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

Consideration and approval to receive grant award in the amount of \$27,711.00 for the Open Door. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

Consideration and approval to certify to the County for collection on the tax statements of Special Assessments, and Blight Assessments. Commissioner Taylor moved,

seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

#### Monthly Reports:

1. EMS
2. Fire
3. Personnel
4. Rolling Meadows Golf Course

The consideration and approval of documents required for the sale of the property at 326 S. Washington. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the consent agenda. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none.

### **PUBLIC HEARING**

A public hearing to consider condemnation of the structure at 1005 Dagen Lane and approval of **R-2624**. Mayor Rhodes opened the public hearing. Senior Inspector Karmann stated that this property has improved greatly, and is being rehabilitated. Commissioner Taylor stated that he is pleased that Perfection Builders was able to save the property from demolition. Mayor Rhodes closed the public hearing. Commissioner Heldstab moved, seconded by Commissioner Taylor to not condemn the structure at 1005 Dagen Lane. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

A public hearing to consider condemnation of structure at 914 and 916 Kramer Court and approval of **R-2625**. Senior Inspector Karmann requested that this item be tabled until the August 17, 2010 City Commission Meeting. Commissioner Talley Moved, Seconded by Commissioner Johnson to table the item for future consideration. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

### **SPECIAL PRESENTATIONS**

Mayor Rhodes presented letters of Commendation to Lieutenant Keith Fitzgerald, Officer Jeremy Bice, and Officer David Sloan.

Officer Wigton presented certificate/award to the August Yard of the Month winner to 1015 Burke Dr..

Buffalo Soldier presentation. Gaylynn Childs stated that the Little Theater building is important to African American culture in the area and provided a history of the building. She stated that other buildings in town were deeded for one dollar for historic purposes, and this building should be too. Gaylynn Childs stated that the City would benefit economically in the future from visitors to the museum. Commissioner Johnson stated that the building has been for sale for a long time; he asked if the Historical Society was willing to purchase the building. Gaylynn Childs stated that her board has the power to make that decision. Trooper Edley of the 9<sup>th</sup> & 10<sup>th</sup> Cavalry Association stated that plans were made for the building in the past. He stated that Buffalo Soldier

events are well attended and was disappointed to be out of the loop on the sale of the building. Commissioner Johnson asked if the group had any funds to purchase the building. Trooper Edley stated that he could not speak for the board about purchasing the building. Trooper Curly spoke to the Commission about his history and the building; he was married there in 1943. Commissioner Johnson stated that for the museum to become a reality, it would require additional funds from the City. City Manager Vernon stated that the Commission has the option to reject all bids. Commissioner Heldstab stated that he did not want to rush to a decision on the sale. Commissioner Johnson stated that he would need the blessing of the church in order to delay the sale any further. Commissioner Johnson stated that with the OK from the church he would wait for information from the Buffalo Soldier group in 3 to 4 weeks. Trooper Edley stated that it would likely take more time, approximately 3 months. Commissioner Taylor asked about the potential artifacts for the museum. Trooper Edley stated that items would be rotated, and there would be items from local residents. Commissioner Taylor suggested that Turning point Church could offer first right of refusal to the Buffalo Soldier group on any future sale of the building. Trooper Edley stated that his organization should have been called about the sale of the building. Commissioner Johnson stated that the Turning Point Church met the requirements of the bid process. Pastor Eming stated that the bid was supposed to be completed 28 days ago; it would not be fair to bid the building again as the Church's bid has already been opened. City attorney Logan stated that the Commission would need to accept, reject, or table the item.

## **PUBLIC HEARING**

Final budget hearing allowing for final public input regarding the 2011 budget. Mayor Rhodes opened and closed the budget hearing to allow for public input regarding the 2011 budget.

## **NEW BUSINESS**

The consideration and approval to **change the fine and court costs schedule** for the Junction City Municipal Court, and modify the process for any future changes to fines and court costs from a Charter Ordinance to a General Ordinance.

1. Approve Charter Ordinance No. 39 First Reading.
2. Approval of Declaration of Emergency
3. Approval Charter Ordinance No. 39 Final Reading.
2. Approve General Ordinance G-1076 on First Reading.

Commissioner Johnson moved, seconded by Commissioner Taylor to approve Charter Ordinance No. 39 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried. Commissioner Johnson moved, seconded by Commissioner Taylor to approve Declaration of Emergency. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried. Commissioner Johnson moved, seconded by Commissioner Taylor to approve Charter Ordinance No. 39 on final reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried. Commissioner Taylor moved, seconded by Commissioner Johnson to approve G-1076 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

The consideration and approval of **Ordinance G-1075** amending Title IV, Subdivision Regulations, and Title V, Building and Construction, of City Code to add language regarding exemptions to platting and adding language concerning when building permits may be issued on unplatted lands. Mayor Rhodes asked why the current ordinance had been approved. David Yearout stated that staff had used discretion in the past and is not ideal. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve G-1075 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

The consideration and approval of **waiver of paving** requirement for off street parking area by Triangle Self Storage proposed new facility at 2721 Gateway Court on the land over the easement of Kansas Gas Service. David Yearout stated that the waiver is being considered because the pipeline is at issue; the portion property on the easement would require paving if not for the easement issue. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve waiver of paving requirement for off street parking area by Triangle Self Storage proposed new facility at 2721 Gateway Court on the land over the easement of Kansas Gas Service. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

The consideration and approval of **Ordinance S-3085** authorizing the imposition of a one percent City-wide sales tax and related matters. **(First Reading)** Commissioner Johnson moved, seconded by Commissioner Heldstab to approve S-3085 on first reading. Ayes: Heldstab, Johnson, Rhodes, Taylor. Nays: none. Motion carried.

### **COMMISSIONER COMMENTS**

Commissioner Johnson stated that he was glad to see people attending the Commission meeting, and was pleased that the 1% sales tax was approved.

Commissioner Taylor thanked the staff for their work on the budget.

Commissioner Heldstab submitted a letter from Kyle Junghans (Exhibit A) to be included in the minutes.

Mayor Rhodes also thanked staff for work on the budget.

### **STAFF COMMENTS**

City Manager Vernon stated that he understand that the refunding on properties to the county is lousy timing, and he understands the frustration. City Manager Vernon stated that he is continuing to work with the EDC, MAC, and Chamber of Commerce on consolidation efforts.

### **ADJOURNMENT**

Commissioner Heldstab moved, seconded by Commissioner Johnson to adjourn at 9:02 PM Ayes: Heldstab, Johnson, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 7th DAY OF SEPTEMBER 2010 AS THE OFFICIAL COPY OF  
THE JUNCTION CITY CITY COMMISSION MINUTES FOR AUGUST 17, 2010.

---

Tyler Ficken, City Clerk

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Mike Rhodes, Mayor

## Exhibit A

Dear Commissioner Heldstab,

I am writing this letter in response to Commissioner Johnson's public comments on Tuesday, August 3<sup>rd</sup> to the Commission regarding Eagle Landing Townhomes. I wish to set the record straight regarding many of Commissioner Johnson's erroneous and misleading comments and remind you that it was a good decision to vote to approve the Eagle Landing Developer's Agreement.

Commissioner Johnson stated that the City paid \$300,000 in developer's fees for Eagle Landing. This is a false statement. The City did not pay anyone associated with Eagle Landing as much as a penny for developing this project. I have no idea why Commissioner Johnson would say such a thing.

Commissioner Johnson said that the cost share for the project's infrastructure expenses were nearly 50/50 with the City, without disclosing the reasons why. Either Mr. Johnson clearly did not read or comprehend the agreement, or perhaps it simply did not serve his own interests to provide full, accurate details of it. Yes, normally cost share is 80/20 or 90/10. However, the City requested that Eagle Landing complete a number of improvements for the City's sole interest, not Eagle Landing's. These included such items as replacing large water lines (one was a direct feed from the City water plant to the water tower) that distribute water to the City running from the water plant through Eagle Landing, upgrading multiple large main off site sewer lines that service the City just outside the Eagle Landing property to the north east, and reconstructing Tackwell St., an old city street that was in place prior to the development of Eagle Landing. These were improvements that benefited all of Junction City and were not needed so that Eagle Landing could be built. It saved the City significant money to make these improvements while the property was in a state of demolition instead of doing it after new construction was complete. Eagle Landing paid for these improvements, which were put out for bid, and subsequently reimbursed through the developer's agreement. This cooperation with the city is what made the cost share differ from the norm. Commissioner Johnson stated that the City paid Eagle Landing around \$225,000 for the City's cost of these infrastructure improvements. The actual cost was \$254,540.70, much of which is directly attributed to the City requested/engineer recommended improvements that Eagle Landing completed on behalf of the City. The City didn't have the time and/or resources to complete these improvements on its own prior to construction. As a result, the final cost share was 38/62.

Commissioner Johnson stated that the developers received upwards of \$2 million from taxpayers for this project, which is completely untrue. Reviewing the records, you will find that the only funds that Eagle Landing received from the City were for the cost reimbursement of \$254,540.70 for the City's share of the infrastructure expense. Additionally, the City provided 142 water meters at an estimated cost of \$90 per meter for a total of around \$12,780. The City also agreed to waive the building permit fees for this project.

Commissioner Johnson discussed the Neighborhood Revitalization Program for this project and the millions of dollars that it cost taxpayers as it puts money into the hands of the wealthy. As you know, this program is available for anyone who wants to invest in

our great City. It's not limited to any social class. To my knowledge, it is the only incentive our City and County provide that costs the taxpayers nothing while stimulating growth and investment. No money comes from taxpayers' pockets as the incentive is a rebate on taxes already paid. In the case of Eagle Landing, prior to this project, the location held an old, run down, crime ridden, trailer court. It was an eyesore located at one of the major entrances to our City. Contrary to what Commissioner Johnson states, without the NRP we would not have improved this area of town by building this project. I would be happy to share the cash flow projections which were the basis for the decision to utilize the NRP. The project simply did not make economic sense without it. Here are the facts, which Commissioner Johnson doesn't seem to know or want anyone who listens to him to know:

2005 real estate taxes, prior to Eagle Landing - \$6,371.28.

2009 real estate taxes paid by Eagle Landing, after rebates - \$35,229.

Amount of property taxes that will be paid annually by Eagle Landing in 7 years (end of NRP) based on 2009 tax rate - \$203,399.86.

Through an increased tax base stimulated by the NRP, the city will get their costs of \$267,320 (cost share + water meters) back before the NRP program even ends. The numbers and facts speak for themselves. To say the Commission made a poor judgment in approving the NRP is ludicrous. The project was an \$11,000,000 investment in an area that quite obviously needed vast improvement. An old, worn-out portion of Junction City at a major entrance is now an attractive area. Crime in the area is reduced. The City increased the tax base both immediately and very significantly in the near future. The City's share of infrastructure costs will be recovered quickly. And finally, it fulfilled the goal of providing new and affordable housing for our soldiers.

On a final note, Commissioner Johnson pointed out that the project was put up for sale prior to construction being complete, insinuating that this was somehow morally wrong. The property was listed for sale only after construction was complete and the majority of the townhomes were rented. If this was morally wrong to do, I ponder why Commissioner Johnson was fine with being one of the owners of the real estate firm that listed the property for sale at that time, and was in favor of receiving a large commission from the sale of it?

Before pointing the finger, making false claims and wild accusations, or labeling people as greedy, wealthy or otherwise, I submit that Commissioner Johnson should actually know the facts. Eagle Landing was a good deal, for both Junction City and the local hard working businessmen that made it happen.

Sincerely,



Kyle Junghans  
Managing Member  
Eagle Landing Partners, LLC





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## **City of Junction City**

### **City Commission**

### **Agenda Memo**

9-3-2010

**From:** Tyler Ficken, City Clerk  
**To:** Gerry Vernon, City Manager  
**Subject:** **2010 Emergency Shelter Grant Approval**

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**Objective:** Approval to receive grant award in the amount of \$47,211 for the Open Door: amount increased from \$27,711.

**Explanation of Issue:** The City of Junction city submitted this grant as approved by the Commission on 4-20-2010. The City will receive \$1,211 for administering the grant funds for the Open Door.

**Budget Impact:** None.

**Suggested Motion:**

**Recommendation:** Approval

**Enclosures:** Notification of Grant Award

# EMERGENCY SHELTER GRANT – FFY2010

## NOTIFICATION OF GRANT AWARD

Kansas Housing Resources Corporation

State of Kansas

Grantee's Name		Grantee's Address	
City of Junction City		1360 West 3 <sup>rd</sup> Street Junction City, KS 66441	
Federal Tax ID#	Grant Number	Grant Period	Grant Award
48-6019171	ESG-FFY2008	From: 07/01/2010 To: 06/30/2011	\$47,211.00

### EMERGENCY SHELTER FUNDS

### PROJECT BUDGET

Rehabilitation	\$0
Operations (Including up to \$2,771.10 for staff)	\$46,000
Essential Services	\$0
Homeless Prevention	\$0
Local Government Administration	\$1,211
<b>TOTAL GRANT AWARD</b>	<b>\$47,211</b>
LOCAL MATCHING FUNDS	\$0
<b>TOTAL PROJECT COST</b>	<b>\$92,422</b>

We, the undersigned, approve this grant and the provisions set forth in the Grant Award Conditions and Emergency Shelter Grant Program rules and regulations.

Authorized State Official

Authorized Grantee Official

Signature	Date
Gary Allsup, Executive Director	
Printed Name	Title

Signature	Date
Printed Name	Title

WATER DEPARTMENT SUMMARY OF ACTIVITIES  
AUGUST 2010

301

WEEK	1	2	3	4	5	Total
1. Active water accounts						9856
2. Inactive water accounts						798
3. Turn on's	123	104	68	45	33	373
4. Turn off's.	115	86	82	30	60	373
5. Reread customers	0	0	0	0	0	0
6. Off Cycle Cutoff	14	29	0	0	10	53
7. Turn off usage no name	0	6	0	17	0	23
8. Turn off cut off list	0	283	0	360	0	643
9. Turn on cut off list	16	146	14	188	6	370
10. Non payment \$ due	\$0	\$19,631	\$0	\$25,884	\$0	\$45,515
11. Meters pulled non-pay	2	6	0	1	1	10
12. Returned check turn off	0	0	0	0	0	0
13. Agreement violations	0	0	0	11	3	14
14. Turn off broken pipes	0	0	0	0	0	0
15. Stopped Meter	0	7	0	30	0	37
16. Water running	3	3	3	2	1	12
17. Sent to Setoff	76	0	82	2	5	165
18. Abnormal usage reread	2	1	0	4	5	12
19. Walk in payments	1208	863	986	616	226	3899
20. Drop box payments	520	220	218	216	91	1265
21. Post office payments	1021	360	450	416	322	2569
22. Visa payments	523	407	493	208	87	1718
23. Web-Site Payments	257	137	189	87	50	720
24. Receptionist Calls	0	0	0	0	0	0
25. Telephone calls	973	868	860	744	333	3778
26. Mail processed	361	570	478	300	525	2234
27. Faxes processed	10	12	9	9	5	45
28. Water bills cycle 1	0	0	5281	0	0	5281
29. Late Fees Applied #1	740	0	0	0	0	740
30. Water bills cycle 2	0	0	0	0	4382	4382
31. Late Fee Applied #2	0	0	794	0	0	794
32. Deposit refunds	0	0	38	0	43	81
33. Adjustments	2	84	2	4	14	106
34. Final Bills	0	0	0	0	385	385
35. New bank draft set ups	6	7	4	5	2	24
36. Bank drafts processed	694	0	348	0	0	1042
37. Agreements processed	7	22	16	42	1	88
38. Returned checks	1	5	1	2	7	16
39. Miscellaneous billed	219	0	0	8	4	231
40. Miscellaneous keyed	37	0	0	8	4	49
41. Government channel	1	1	0	10	2	14
42. Building reservations	4	1	3	2	0	10
43. Supply requests filled	0	0	0	0	0	0
44. New Service Setup	0	3	0	2	0	5
45. Changed Dials	3	14	3	3	0	23
46. Flyers in Bills	0	0	0	0	0	0




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## City of Junction City

### City Commission

#### Agenda Memo

August 31, 2010

From: Tricia Gowen, Public Services Director   
To: Mayor and Commissioners  
Subject: August 2010 Payroll

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**Objective:** The consideration and approval of Payroll #16 and #17 for the month of August 2010.

**Explanation of Issue:** The payrolls for August 2010 were calculated as follows:

Payroll #16	\$216,537.55	August 13, 2010
Payroll #17	\$209,910.37	August 27, 2010

**Alternatives:** It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission August:

Approve, disapprove or table the August 2010 Payroll request.

**Recommendation:** City Staff recommends that the City Commission approve the August 2010 Payroll.

**Enclosures:**

1. Payroll Check Register August 13, 2010 (Payroll #16)
2. Payroll Check Register August 27, 2010 (Payroll #17)

REGULAR CHECKS:		
DIRECT DEPOSIT	239	216,325.83
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT	1	211.72
VOIDED CHECKS:		
NON CHECKS:		
TOTAL CHECKS:	240	216,537.55

\*\*\* NO ERRORS FOUND \*\*\*

\*\* END OF REPORT \*\*

\*\*\* REGISTER TOTALS \*\*\*

DIRECT DEPOSIT	REGULAR CHECKS:	230	209,910.37
	MANUAL CHECKS:		
PRINTED	MANUAL CHECKS:		
DIRECT DEPOSIT	MANUAL CHECKS:		
	VOIDED CHECKS:		
	NON CHECKS:		
TOTAL CHECKS:		230	209,910.37

\*\*\* NO ERRORS FOUND \*\*\*

\*\* END OF REPORT \*\*





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## City of Junction City

### City Commission

### Agenda Memo

September 7, 2010

**From:** Public Works Department  
**To:** Gerry Vernon, City Manager & the City Commissioners  
**Subject:** **Water Supply Well No. 18 – Clarke Well & Equipment, Inc. PE #2**

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**Objective:** The consideration and approval of Pay Estimate #2 in the amount of \$120,473.91 to Clarke Well & Equipment, Inc. for construction of Water Supply Well No. 18. This project is 68.71% complete as of this Pay Estimate.

**Explanation of Issue:** On May 5, 2009 the City Commissioners approved an ARRA loan in the amount of \$800,000.00 to install well #18 and replace the most important well field piping. On August 18, 2009 Resolution 2564 was approved authorizing and approving certain improvements to the City's Public Water Supply System (project 44833/KPWSLF 2494) and Resolution 2593 was approved on February 16, 2010 to complete a loan to KDHE in the amount of \$1,796,491.00. On January 15, 2010 notice of award was approved to Clarke Well & Equipment, Inc. in the amount of \$312,000.00 to construct Water Supply Well No. 18. Construction began on May 3, 2010. Pay Estimate #1 was approved on July 6, 2010. Clarke Well & Equipment, Inc. is requesting approval for Pay Estimate #2 in the amount of \$120,473.91.

**Budget Impact:** This project is being funded by ARRA funds in the amount of \$800,000.00 and a loan in the amount of \$1,796,491.00. All City funds will be paid from the Water and Sewer Fund.

**Alternatives:** It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

1. Approve Pay Estimate #2 in the amount of \$120,473.91 to Clarke Well & Equipment, inc. for construction of Water Well No. 18.
2. Disapprove Pay Estimate #2.
3. Modify Pay Estimate #2.
4. Table the request.

**Recommendation:** Staff recommends the Commission approves Pay Estimate #2 in the amount of \$120,473.91.

**Enclosures:** Invoice No. 15376, Request for Payment Memorandum



# REQUEST FOR PAYMENT MEMORANDUM

DATE:	9/7/2010	PROJECT	WATER SUPPLY WELL NO 18
TO:	CITY MANAGER / CITY COMMISSION	PROJECT NO.	44833 / KPWSLF 2494
FROM:	PUBLIC WORKS DEPARTMENT	CONTRACTOR	CLARKE WELL & EQUIPMENT, INC.
		RE:	REQUEST FOR PAYMENT #2 \$ 120,473.91
		CONTRACT PRICE	\$ 312,000.00

THIS BILLING HAS BEEN REVIEWED AND APPROVED.

PLEASE REVIEW AND APPROVE.

PAYMENT HISTORY		DATE	INVOICE#	DATED	PAID	CHECK	AMOUNT DUE	OTHER	BALANCE
Work completed through	1	06/15/10	15275	06/15/10			\$ 72,515.15		\$ 239,484.85
Work completed through	2	08/14/10	15376	08/14/10			\$ 120,473.91		\$ 119,010.94
	3								
	4								
	5								
	6								
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	8								
	9								
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	20								
	21								
	22								
	23								
	24								
	25								
TOTAL BILLINGS YEAR-TO-DATE:							\$ 192,989.06	\$ -	\$ 192,989.06

RECEIVED  
JAN 10 1960

C

Clarke Well & Equipment, Inc.  
 Airport Industrial Complex  
 8822 3rd Street  
 Great Bend, KS 67530  
 Phone (620) 793-8493 Fax (620) 793-8340

City of Junction City

CWE Invoice No. 15376

Pay Estimate No. 2

Bill To: City of Junction City

Date: 8/14/2010

Attn: Mike Guinn

CWE Job No. 10132

700 Jefferson

Project Name: Construction of Water Supply Well No. 18

P.O. Box 287

Project No. KPWSLF No. 2494, Burns & McDonnell No. 44833

Junction City, KS 66441

	Item	UOM	Bid Quantity	Unit Price	Bid Total	Units Complete	Unit Extensions	Percent Complete
1	Drill and Construct Water Supply Well No. 18 and	Lump Sum	1	\$312,100.00	\$312,100.00	0.6870628	\$214,432.29	68.71%
2	abandon existing Well No. 10							
3								
4								
5								
6								
7								
8								
9								
10								
Materials on Hand								

**Recommended for Payment**

Engineer - Project Inspector

Submitted

Clarke Well & Equipment, Inc.

Approved

City Representative

Original Contract Amount	312,100.00
Change Orders	
New Contract Total	312,100.00
Total Value of Construction This Date	214,432.29
Less Percent Retained by Owner - 10%	-21,443.23
Less Previous Payments	-72,515.15
Amount Due This Date	120,473.91

Schedule of Values	UOM	Quantity	Unit Price	Extension
Test Hole & Design	Lump Sum	1	3,116.77	3,116.77
Production Well	Lump Sum	1	53,691.67	53,691.67
Development & Test Pump	Lump Sum	1	13,649.18	13,649.18
Elevated Pump Structure	Lump Sum	1	24,404.35	24,404.35
Pump	Lump Sum	0	34,389.54	0.00
Well Vault	Lump Sum	1	31,039.55	31,039.55
Vault Piping	Lump Sum	0	16,386.33	0.00
Paint	Lump Sum	1	11,285.55	11,285.55
Piping	Lump Sum	0.6	20,040.97	12,024.58
Abandon Well No. 10	Lump Sum	1	7,798.97	7,798.97
Electrical, Telemetry	Lump Sum	0.7	82,030.95	57,421.67
Completion, Startup, Warranty, Misc.	Lump Sum	0	14,266.17	0.00
			Total	214,432.29



5a

## ***PROCLAMATION***

**WHEREAS**, WAMEGO DUTCH MILL SWEET ADELINES has served Junction City and the surrounding area since 1982; and

**WHEREAS**, members of WAMEGO DUTCH MILL SWEET ADELINES are residents of Junction City; and

**WHEREAS**, WAMEGO DUTCH MILL SWEET ADELINES has served communities throughout the Flint Hills by providing wholesome entertainment in the barbershop style; and

**WHEREAS**, WAMEGO DUTCH MILL SWEET ADELINES' leadership and members have become involved in the fabric of the community at all levels; and

**WHEREAS**, the chorus has consistently stepped forward to support things that have made Wamego a more livable community; and

**WHEREAS**, the chorus has achieved First Place in Regional competition and will represent Sweet Adelines Region 7 (Kansas, Nebraska, Western Iowa, Western Missouri) at International Competition in Seattle, Washington on October 21, 2010.

**NOW, THEREFORE, I**, Mike Rhodes, Mayor of the City of Junction City, Kansas, do hereby proclaim October 21, 2010, be set aside as

## ***WAMEGO DUTCH MILL SWEET ADELINES DAY***

in Junction City and urge all citizens to recognize the chorus for its years of service to the community and support the chorus' efforts as it performs on the International stage.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Junction City, Kansas, to be affixed this \_\_\_\_ day of \_\_\_\_\_, 2010.

---

Mike Rhodes, Mayor





5b

OK

## **City of Junction City**

### **City Commission**

### **Agenda Memo**

August 30, 2010

**From:** Dan Pfizenmaier, Self-Help Housing Director  
**To:** Gerry Vernon, City Manager and City Commissioners  
**Subject:** **Certificate of Appreciation to Armour Eckrich**

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**Objective:** Present a Certificate of Appreciation to Armour Eckrich on behalf of the City of Junction City.

**Explanation of Issue:** Armour Eckrich has donated and served hot dogs at several City functions to include Self-Help Housing Ribbon Cuttings/Ground Breaking Ceremony, and the City-Wide Clean Up. We would like the Mayor to present this Certificate of Appreciation at the September 7, 2010, City Commission Meeting.

**Budget Impact:** This action has no bearing on the City of Junction City budget. There is no cost involvement.

**Recommendation:** City Staff recommends that we have the Mayor present Armour Eckrich with a Certificate of Appreciation for their donations to the City of Junction City.


**Enclosures:** Certification of Appreciation to Armour Eckrich.



7a

**City of Junction City  
City Commission  
Agenda Memo**

August 31, 2010

From: Tricia Gowen, Public Services Director   
To: Mayor & Commissioners  
Subject: Change to Municipal Court Fines & Court Costs - **UPDATED**

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**Objective:** To seek the Commission's approval to change the fine and court costs schedule for the Junction City Municipal Court. And to modify the process for any future changes to fines and court costs from a Charter Ordinance to a General Ordinance.

**Explanation of Issue:** During the 2011 budget process, City staff was tasked with reviewing all revenues and expenses to find ways to increase revenues and decrease expenses. Upon researching fines and court costs, it was discovered that the fine and court costs schedule of the Junction City Municipal Court was much lower than the surrounding courts. Staff researched the following entities: Geary County, Dickinson County, the State of Kansas, and Riley County. The proposed fine and court costs schedule brings the Junction City Municipal Court in line with the surrounding courts.

The proposed court costs are:

	Current	Proposed
Parking Violation	\$46.00	\$91.00
Traffic Violation	\$56.00	\$111.00
Misdemeanor Violation	\$66.00	\$131.00

The City Commission sets the court costs. The fines, however, are set by the Municipal Court Judge. Judge McKone has approved the fine increases as highlighted in the attached Fine Schedule.

To address any future changes, it is proposed to create Charter Ordinance 39 to repeal existing Charter Ordinance 34. The fines and court costs will then be established via General Ordinance G-1076. Ordinance G-1076 will become effective upon Commission's approval and publication.

*The proposed addition to General Ordinance G-1076 includes the following:*

- 1. Booking Fee. For those offenses as set out in K.S.A. 21-2501 that require the individual be fingerprinted before final disposition of the case, a \$45.00 booking and processing fee will be assessed as costs.*
- 2. Finger Printing Fee. For all offenses other than those described in the preceding section for which an individual is fingerprinted, a \$25.00 fingerprinting fee will be assessed as costs.*
- 3. Late Notice Fee. For late payment of any fines, penalty or costs, a Late Notice Fee of \$25.00 will be assessed as costs.*
- 4. Warrant Fee. A Warrant Fee of \$100.00 shall be assessed against each person for whom a warrant is issued for failure to appear, failure to comply, or for failure to pay any fine, penalty or costs.*

*These fees are to be collected as a separate court cost, in addition to and not as a substitute for any other costs, fees fines or penalties from any person convicted.*

**Budget Impact:** This action has the potential to increase the fines and forfeitures line item in the General Fund.

**Alternatives:** It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

Approve, table or revise this proposal.

**Recommendation:** Staff recommendation is to approve Charter Ordinance 39 repealing Charter Ordinance 34 and approve Ordinance G-1076

**Enclosures:** Charter Ordinance 34  
Charter Ordinance 39  
Ordinance G-1076  
Fine Schedule - City of Junction City

CHARTER ORDINANCE NO. 34

A CHARTER ORDINANCE REPEALING SECTION 2 OF CHARTER ORDINANCE 32 AND EXEMPTING THE CITY OF JUNCTION CITY, KANSAS FROM THE PROVISIONS OF K.S.A. 12-4112 REGARDING COSTS ASSESSED IN MUNICIPAL COURT, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND REPEALING EXISTING SECTION 120.010 [AS ORDAINED BY SECTION 2 OF CHARTER ORDINANCE 32] OF CHAPTER 120, TITLE I OF THE ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS, 1994.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. In accordance with the provisions of Article 12, Section 5(c) of the Constitution of the State of Kansas, the City of Junction City, Kansas, hereby elects to exempt itself and make inapplicable to it K.S.A. 12-4112, repeal a portion of Charter Ordinance 30, repeal existing Section 120.010 of the Code of the City of Junction City, Kansas, 1994 and substitute the following provisions as hereinafter provided.

Section 2. Section 120.010 COURT COSTS is added to read as follows:

Section 120.010 COURT COSTS

A. The Municipal Court shall assess the following court costs in cases in the Municipal Court:

1. Fifty dollars (\$50.00) in any case involving a violation of the Standard Traffic Ordinance as adopted by the City of Junction City, Kansas;
2. Sixty dollars (\$60.00) in any case involving a violation of any other Municipal ordinance adopted by the City of Junction City, Kansas;
3. Also, in any case involving violation of the ordinances set forth above, an additional \$5.00 court cost shall be assessed and deposited in the Junction City General Fund for law enforcement training purposes.

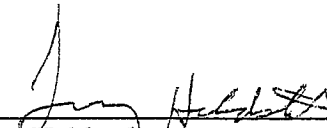
B. In addition to the foregoing court costs, the Municipal Court shall further assess such additional court costs for witness fees and mileage as authorized by K.S.A. 12-4411. Attorney's fees may be assessed to those defendants found guilty of any offense when defendants found to be indigent are provided with counsel in accordance with Section 120.030.

C. The Court may also assess as costs the amounts expended by the City to transport such person from a confinement facility located outside the City of Junction City to the City of Junction City for appearance before the Municipal Court if such person is subsequently found guilty of any offense by reason of which such person was transported or had previously been found guilty of an offense by reason of which such person was transported. Such costs may include mileage, food, lodging and related direct expenditures for the person and any law enforcement officer involved in the transport of such person.

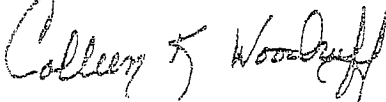
Section 3. Sections 2 of Charter Ordinance 32 and existing Section 120.010 of Chapter 120, Title I of the Ordinances of the City of Junction City, Kansas, 1994, are hereby repealed.

Section 4. This Charter Ordinance shall take effect sixty-one (61) days after the final publication, unless a sufficient petition for referendum is filed and a referendum is held on the ordinance as provided in Article 12, Section 5(c)(3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective, if approved, by a majority of the electors voting thereon.

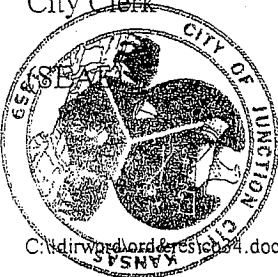
PASSED AND ADOPTED BY THE GOVERNING BODY, not less than two-thirds of the members elect voting in favor thereon, on the 20<sup>th</sup> day of June, 2006.

  
\_\_\_\_\_  
Terry Heldstab  
Mayor

ATTEST:



Colleen Woodruff  
City Clerk



## CHARTER ORDINANCE NO. 39

A CHARTER ORDINANCE EXEMPTING THE CITY OF JUNCTION CITY, KANSAS FROM THE PROVISIONS OF K.S.A. 12-4112 RELATING TO THE ASSESSMENT OF COURT COSTS IN MUNICIPAL COURT AND PROVIDING FOR THE ENACTMENT OF SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT THROUGH THE ENACTMENT OF ORDINARY ORDINANCES AND REPEALING EXISTING CHARTER ORDINANCE 34

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

**Section 1.** In accordance with the provisions of Article 12, Section 5 of the Constitution of the State of Kansas, the City of Junction City, Kansas, hereby elects to exempt itself and make inapplicable to it K.S.A. 12-4112 relating to the assessment of court costs in municipal court, and providing for the enactment of substitute and additional provisions on the same subjects through the enactment of ordinary ordinances. Such referenced statutory provisions are applicable to this City but are not uniformly applicable to all cities.

**Section 2.** The Governing Body shall establish the assessment of court costs in municipal court by the enactment of ordinary ordinances.

**Section 3.** Existing Charter Ordinance No.34 is hereby repealed.

**Section 4.** This Ordinance shall be published once each week for two consecutive weeks in the Daily Union, the official City newspaper.

**Section 5.** This Charter Ordinance shall take effect sixty-one (61) days after the final publication, unless a sufficient petition for referendum is filed and a referendum is held on the ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case the ordinance shall become effective, if approved, by a majority of the electors voting thereon.

PASSED AND ADOPTED BY THE GOVERNING BODY, not less than two-thirds of the members elect voting in favor thereon, on the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Michael Rhodes, Mayor

ATTEST:

\_\_\_\_\_  
Tyler Ficken, City Clerk  
(SEAL)

**ORDINANCE NO. G-1076**

AN ORDINANCE REGARDING COSTS ASSESSED IN MUNICIPAL COURT AND AMENDING SECTION 120.010 OF ARTICLE I, CHAPTER 120, TITLE 1 OF THE ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

**Section 1.** Section 120.010 of Article I, Chapter 120, Title 1 of the Ordinances of The City of Junction City, Kansas is hereby amended to read as follows:

**Section 120.010: COURT COSTS**

- A. The Municipal Court shall assess the following court costs in cases in the Municipal Court:
  - 1. Ninety-one dollars (\$91.00) in any case involving a violation of the Parking Ordinance of the Standard Traffic Ordinance as adopted by the City of Junction City, Kansas;
  - 2. One hundred eleven dollars (\$111.00) in any case involving any other violation of the Standard Traffic Ordinance as adopted by the City of Junction City, Kansas; and
  - 3. One hundred thirty-one dollars (\$131.00) in any misdemeanor case involving a violation of the any other Municipal ordinance adopted by the City of Junction City, Kansas.
- B. In addition to the foregoing court costs, the Municipal Court shall further assess such additional court costs for witness fees and mileage as authorized by K.S.A. 12-4411. Attorney's fees may be assessed to those defendants found guilty of any offense when defendants found to be indigent are provided with counsel in accordance with Section 120.030.
- C. The Court may also assess as costs the amounts expended by the City to transport such person from a confinement facility located outside the City of Junction City to the City of Junction for appearance before the Municipal Court if such person is subsequently found guilty of any offense by reason of which such person was transported or had previously been found guilty of an offense by reason of which such person was transported. Such costs may include mileage, food, lodging and related direct expenditures for the person and any law enforcement officer involved in the transport of such person.

**D. The Municipal Court shall assess the following additional costs:**

- 1. Booking Fee.** For those offenses as set out in K.S.A. 21-2501 that require the individual be fingerprinted before final disposition of the case, a \$45.00 booking and processing fee will be assessed as costs.
- 2. Finger Printing Fee.** For all offenses other than those described in the preceding section for which an individual is fingerprinted, a \$25.00 fingerprinting fee will be assessed as costs.
- 3. Late Notice Fee.** For late payment of any fines, penalty or costs, a Late Notice Fee of \$25.00 will be assessed as costs.
- 4. Warrant Fee.** A Warrant Fee of \$100.00 shall be assessed against each person for whom a warrant is issued for failure to appear, failure to comply, or for failure to pay any fine, penalty or costs.

These fees are to be collected as a separate court cost, in addition to and not as a substitute for any other costs, fees fines or penalties from any person convicted.

**Section 2.** All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in the official City newspaper, and immediately upon the effective date of Charter Ordinance No. 39.

PASSED AND ADOPTED BY THE GOVERNING BODY and signed by the Mayor on September 7, 2010.

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Michael Rhodes, Mayor

ATTEST:

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Tyler Ficken  
City Clerk

(SEAL)



**FINE SCHEDULE – CITY OF JUNCTION CITY**  
**MUNICIPAL COURT**

**EFFECTIVE DATE: 11-01-2010**

<b>ORDINANCE</b>	<b>TRAFFIC VIOLATION</b>	<b>FINE</b>	<b>COURT COSTS</b>
<b>TRAFFIC SIGNS, SIGNALS AND MARKINGS</b>			
300.013	Violate Red Traffic Control Signal	\$60.00	\$111.00
300.014	Violate Pedestrian Control Signal	\$60.00	\$111.00
300.015	Violate Flashing Traffic Signals	\$60.00	\$111.00
300.016	Violate Lane Control Signal	\$60.00	\$111.00
300.017	Unauthorized signs, signals, markings	\$60.00	\$111.00
300.018	Interfere with Traffic Control Device	\$60.00	\$111.00
300.020	Driving on Designated Play Street	\$60.00	\$111.00
<b>ACCIDENTS AND ACCIDENT REPORTS (MANDATORY COURT APPEARANCE)</b>			
300.023	Accident – Death or Personal Injury	\$200.00	\$111.00
300.024	Accident – Damage to Vehicle or Property	\$100.00	\$111.00
300.025	Fail to Give Information or Render Aid	\$100.00	\$111.00
300.026	Duty to Give Info – Unattended Veh/Property	\$100.00	\$111.00
300.027	Duty to Report Accidents	\$100.00	\$111.00
300.028	Giving False Information	\$100.00	\$111.00
<b>SERIOUS TRAFFIC OFFENSES (MANDATORY COURT APPEARANCE)</b>			
300.029	Reckless Driving		\$111.00
300.030	DUI – Liquor/drugs		\$111.00
300.0301	DUI – Commercial Vehicle – Liquor/Drugs		\$111.00
300.030a	Refuse Preliminary Breath Test		\$111.00
300.030b	Tampering with interlock ignition device		\$111.00
300.031	Fleeing & Eluding		\$111.00
<b>SPEED REGULATIONS - SCHOOL ZONES – FINES ARE DOUBLED</b>			
300.032	Speed in excess for conditions	\$30.00	\$111.00
300.033	Exceeding Posted Speed Limit		
	1-9 over posted speed	\$30.00	\$111.00
	10-15 over	\$40.00	\$111.00
	16-19 over	\$75.00	\$111.00
	20-24 over	\$125.00	
	Over 24	\$200 plus \$10 for every mile 25 and over	\$111.00
300.034	Impeding normal traffic by slow speed	<b>\$45.00</b>	\$111.00
300.035	Speeding on motor-driven cycle	<b>\$75.00</b>	\$111.00
300.037	Racing on Highways; Exh. Of Speed	<b>\$100.00</b>	\$111.00
<b>USE OF ROADWAY</b>			
300.038	Driving on Left Side of Roadway	<b>\$60.00</b>	\$111.00
300.039	Fail to Keep Right to Pass	<b>\$60.00</b>	\$111.00
300.040	Improper Passing; increasing speed when passing	<b>\$60.00</b>	\$111.00
300.041	Improper passing on right	<b>\$60.00</b>	\$111.00
300.042	Passing on left with insufficient clearance	<b>\$60.00</b>	\$111.00
300.043	Driving on left when vision obstructed	<b>\$60.00</b>	\$111.00
300.044	Driving on left in "No Passing Zone"	<b>\$60.00</b>	\$111.00
300.045	Wrong way on one-way road	<b>\$60.00</b>	\$111.00
300.046	Improper driving on laned road	<b>\$60.00</b>	\$111.00
300.047	Following too closely	<b>\$60.00</b>	\$111.00
300.048	Improper crossover on divided highway	<b>\$60.00</b>	\$111.00
<b>SIGNALS ON STOPPING AND TURNING</b>			
300.049	Improper turn or approach	<b>\$60.00</b>	\$111.00
300.051	Improper U-turn	<b>\$60.00</b>	\$111.00
300.052	Turning on curve or crest of grade	<b>\$60.00</b>	\$111.00
300.053	Unsafe starting of stopped vehicle	<b>\$60.00</b>	\$111.00
300.054	No signal/ unsafe turning/stopping	<b>\$60.00</b>	\$111.00
300.056	Improper hand signal	<b>\$60.00</b>	\$111.00

<b>RIGHT OF WAY</b>			
300.057	Fail to Yield at Uncontrolled Intersection	<b>\$75.00</b>	\$111.00
300.058	Fail to Yield to oncoming Vehicle turning left	<b>\$75.00</b>	\$111.00
300.059	Fail to Yield at stop/yield sign	<b>\$75.00</b>	\$111.00
300.060	Fail to Yield from private road or driveway	<b>\$75.00</b>	\$111.00
300.061	Fail to Yield to emergency vehicle	<b>\$75.00</b>	\$111.00
300.062	Fail to Yield to Pedestrian/vehicle working	<b>\$75.00</b>	\$111.00
	Fail to Comply with road construction restrictions	<b>\$75.00</b>	\$111.00
<b>PEDESTRIANS</b>			
300.063	Disobeying Pedestrian Traffic Control Device	\$46.00	\$111.00
300.064	Fail to Yield to Pedestrian on Crosswalk	<b>\$75.00</b>	\$111.00
	Pedestrian suddenly entering roadway		
	Passing vehicle stopped for Pedestrian in crosswalk		
300.065	Jay-walking	\$46.00	\$111.00
300.066	Fail to exercise care regarding pedestrian	\$46.00	\$111.00
300.067	Improper pedestrian movement in crosswalk	\$46.00	\$111.00
300.068	Improper use of roadway by pedestrian	\$46.00	\$111.00
300.069	Soliciting ride or business on roadway	\$46.00	\$111.00
300.070	Driving through safety zone	\$46.00	\$111.00
300.071	Fail to Yield to Pedestrian in Crosswalk	<b>\$75.00</b>	\$111.00
300.072	Pedestrian Failing to Yield to Emergency Vehicle	\$46.00	\$111.00
300.073	Fail to Yield to Blind Pedestrian	\$46.00	\$111.00
300.074	Pedestrian under influence alcohol/drugs	<b>MUST APPEAR IN COURT</b>	
300.075	Pedestrian disobeying bridge or railroad signal	\$46.00	\$111.00
<b>SPECIAL STOPS REQUIRED</b>			
300.077	Fail to Stop at railroad crossing stop sign	<b>\$75.00</b>	\$111.00
300.078	Hazardous vehicles fail to stop at RR Cross	<b>\$75.00</b>	\$111.00
300.079	Improper moving heavy equipment at RR Crossing	<b>\$60.00</b>	\$111.00
300.080	Emerge from private road, alley, building or driveway	<b>\$60.00</b>	\$111.00
300.081	Improper passing of school bus	<b>\$250.00</b>	\$111.00
300.082	Improper passing church/daycare bus	<b>\$250.00</b>	\$111.00
<b>STOPPING, STANDING AND PARKING</b>			
300.083	Improper Stand, Stop or Park on Roadway	\$46.00	\$91.00
300.085	Park, Stand or Stop in Prohibited Area	\$46.00	\$91.00
300.086	Improper Parking	<b>\$46.00</b>	\$91.00
300.087	Accessible Parking (Handicap)	\$100.00	\$91.00
300.087a	Revoked/Suspended Accessible parking privileges	\$100.00	\$91.00
300.088	Park vehicle on roadway for repairs/sale	\$46.00	\$91.00
300.089	Stall Parking	<b>\$20.00</b>	\$91.00
300.090	Blocking traffic	\$46.00	\$91.00
300.091	Park on narrow streets/sign prohibiting	\$46.00	\$91.00
300.092	Parking in alley	\$46.00	\$91.00
300.093	Parking disabled vehicles	<b>\$20.00</b>	\$91.00
300.093a	Parking abandoned vehicles	<b>\$20.00</b>	\$91.00
300.094	Parking adjacent to schools/signs	\$46.00	\$91.00
300.095	Stop or park in hazardous places/signs	\$46.00	\$91.00
300.096	Parking prohibited at all times	\$46.00	\$91.00
300.097	Limited time parking zones	\$46.00	\$91.00
300.098	Load/unload commercial veh./blocking traffic	\$46.00	\$91.00
300.099	Load/unloading zones	\$46.00	\$91.00
<b>MISCELLANEOUS RULES</b>			
300.103	Using Headphones/TV Receiver in Vehicle	\$60.00	\$111.00
300.104	Inattentive driving	\$60.00	\$111.00

300.106	Transporting Open Container Alcohol	MANDATORY COURT APPEARANCE	
300-107	Unattended vehicle	\$46.00	\$111.00
300.108	Driver's View Obstructed	\$60.00	\$111.00
300.109	Coasting	\$46.00	\$111.00
300.110	Following Fire Apparatus too Closely	<b>\$75.00</b>	\$111.00
300.111	Driving over Fire Hose	\$46.00	\$111.00
300.112	Putting glass, etc., on roadway	<b>\$75.00</b>	\$111.00
300.113	Driving into Intersection without clearance	\$46.00	\$111.00
300.114	Improper operation of snowmobile on highway	\$46.00	\$111.00
300.115	Unlawful riding on vehicle	<b>\$60.00</b>	\$111.00
300.116	Driving on sidewalks	\$46.00	\$111.00
300.117	Improper backing	\$46.00	\$111.00
300.123	Unsafe opening of vehicle doors	\$46.00	\$111.00
300.124	Riding in house trailer	\$46.00	\$111.00
300.125	Driving across lawns, sidewalks, yards, etc.	\$46.00 Plus restitution	\$111.00
<b><u>BICYCLES, MOTORCYCLES</u></b>			
300.127	Parental Responsibility of child riding bicycle	\$46.00	\$111.00
300.129	Too many on bicycle	\$46.00	\$111.00
300.130	Clinging to other vehicle	\$46.00	\$111.00
300.131	Improper riding of bicycle on roadway	\$46.00	\$111.00
300.132	Carrying articles/One hand on bicycle	\$46.00	\$111.00
300.136	Coasters, roller skates, etc. on roadway	\$46.00	\$111.00
300.138	Improper operation of motorcycle	\$46.00	\$111.00
300.139	Improper operation of MC on laned highway	<b>\$60.00</b>	\$111.00
300.140	MC clinging to other vehicle	\$46.00	\$111.00
300.141	Improper MC handlebars or passenger equip	<b>\$60.00</b>	\$111.00
300.142	Motorcycle helmet and eye protection	\$46.00	\$111.00
<b><u>DEFECTIVE EQUIPMENT: LIGHTS, BRAKES, HORNS</u></b>			
300.144	Driving w/o lights when needed	\$60.00	\$111.00
300.146	Defective head lamps	\$60.00	\$111.00
300.147	Defective tail lamps	\$60.00	\$111.00
300.148	Defective Reflectors	\$46.00	\$111.00
300.149	Defective stop lamp or turn signals	\$46.00	\$111.00
300.151	Improper lighting equipment on certain vehicles	\$46.00	\$111.00
300.152	Improper lamp color on certain vehicles	\$46.00	\$111.00
300.153	Improper mount of reflect/lamps on certain vehicles	\$46.00	\$111.00
300.154	Improper visibility of reflect/lamps on certain veh.	\$46.00	\$111.00
300.156	No lamp or flag on projecting load	<b>\$60.00</b>	\$111.00
300.157	Improper lamps on parked vehicles	\$46.00	\$111.00
300.158	Improper lamps/equipment on farm equipment	\$46.00	\$111.00
300.159	Improper use of spot, fog or auxiliary lamps	\$46.00	\$111.00
300.160	Improper lamps/lighting on emergency vehicles	\$46.00	\$111.00
300.161	Improper stop or turn signal	\$46.00	\$111.00
300.162	Improper vehicle hazard warning lamp	\$46.00	\$111.00
300.163	Unauthorized additional lighting equipment	\$46.00	\$111.00
300.164	Improper multi-beams lights	\$46.00	\$111.00
300.165	Fail to dim head lights	<b>\$60.00</b>	\$111.00
300.166	Improper signal-beam head lights	\$46.00	\$111.00
300.167	Improper speed with alternative lighting	\$46.00	\$111.00
300.168	Improper number of driving lamps	\$46.00	\$111.00
300.169	Unauthorized lights and signals	\$46.00	\$111.00
300.170	Improper school bus lights/warning devices	\$46.00	\$111.00

300.171	Improper lights/devices on church/daycare bus	\$46.00	\$111.00
300.172	Improper lights on highway/maintenance vehicles	\$46.00	\$111.00
300.173	Defective Brakes	\$46.00	\$111.00
300.174	Defective/Improper Use of horn/warning device	\$46.00	\$111.00
300.175	Defective muffler	\$46.00	\$111.00
300.176	Defective Mirror	\$46.00	\$111.00
300.177	Defective wipers/obstructed windshields/windows	\$46.00	\$111.00
300.178	Improper tires	\$46.00	\$111.00
300.178a	Improper wide-based single tires	<b>\$60.00</b>	\$111.00
300.179	Spilling loads on highway	\$46.00	\$111.00
300.180	Drawbar connections and safety hitches	\$46.00	\$111.00
300.181	One-way glass and sun screening devices	\$46.00	\$111.00
300.182	No child passenger safety restraint/belts	\$46.00	\$111.00
300.182a	No seat belt (adult)	\$46.00	\$111.00
300.182b	Unlawful riding on vehicle	<b>\$60.00</b>	\$111.00
<b>EQUIPMENT ON MOTORCYCLES</b>			
300.183 through 300.191	Defective Equipment offenses are all the same as regular vehicle offense rates	\$46.00	\$111.00
<b>DRIVER'S LICENSE AND VEHICLE TAGS</b>			
300.192	No Driver's License	COURT APPEARANCE	
300.193	No DL in possession	COURT APPEARANCE or show Clerk for Dismissal	
300.194	Canceled, Suspended or Revoked License	COURT APPEARANCE	
300.195	Violation of Restrictions	COURT APPEARANCE	
300.196	Unauthorized Operator	COURT APPEARANCE	
300.197	Unauthorized Minors	COURT APPEARANCE	
300.198	No Registration; Illegal or Expired Tags	\$200.00	\$111.00
300.199	Unlawful Use of License	COURT APPEARANCE	
300.200	No Proof Insurance	COURT APPEARANCE or show Clerk for Dismissal	
<b>LOUD MUSIC ORDINANCE</b>			
300.103c	Loud Music from Vehicle	\$150.00	\$111.00
220.740	Loud Music from Residence	\$150.00	\$111.00
<b>OTHER VIOLATIONS</b>			
Other violations where citations may be issued require a court appearance and are not payable by mail or to the Clerk			

# City of Junction City

## City Commission

### Agenda Memo

August 17, 2010

**From:** David L. Yearout, AICP, Director of Planning and Zoning  
**To:** City Commission & Gerry Vernon, City Manager  
**Subject:** Amendment to the Junction City Municipal Code (G-1075 attached)

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**Issue:** Consideration of ordinance (G-1075) amending Title IV, Subdivision Regulations, and Title V, Building and Construction, of the Municipal Code of the City of Junction City by adding language regarding certain exemptions to platting and adding language concerning when building permits may be issued on unplatted lands.

**Explanation of Issue:** The present City Code requires all construction with the City to be on platted lands. The Metropolitan Planning Commission conducted a public hearing to consider amending the Subdivision Regulations to allow certain situations to be exempt from the platting requirements when it is shown that no public benefit will accrue from the platting. In addition, it is recommended to further amend the City Code to allow the issuance of building permits on certain unplatted lands when limited conditions are present. These amendments are brought forward with a unanimous recommendation of approval by the Metropolitan Planning Commission.

**Alternatives:**

1. Approve the first reading of the Ordinance.
2. Modify and approve the first reading of the Ordinance as so modified.
3. Disapprove the Ordinance.

**Staff Recommendation:** Approve the first reading of the Ordinance.

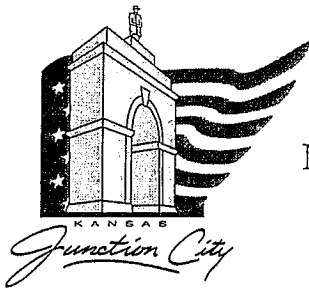
**Suggested Motion:**

Commissioner \_\_\_\_\_ moved that the Ordinance No. G-1075, an ordinance amending the Municipal Code of Junction City, Kansas, by adding language in Chapter 444, Subdivision Regulations, concerning exemptions from platting, and by amending language in Chapter 505, Building and Construction, concerning when building permits may be issued on unplatted land be approved on first reading.

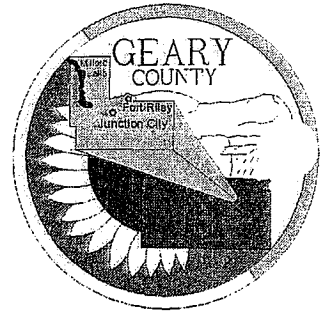
Commissioner \_\_\_\_\_ seconded the motion.

**Enclosures:**

Staff Report  
Ordinance G-1075



**JUNCTION CITY/GEARY COUNTY  
METROPOLITAN PLANNING COMMISSION  
BOARD OF ZONING APPEALS**



**STAFF REPORT**

July 6, 2010

**TO:** Metropolitan Planning Commission / Board of Zoning Appeals

**FM:** David L. Yearout, AICP, Director of Planning and Zoning

**SUBJECT:** TA-07-01-10 - Text Amendment to the Junction City Subdivision Regulations concerning Exemptions from Platting and issuance of Building Permits

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**Background:** At the June 10, 2010, MPC meeting, a vote was approved to set the public hearing for July 6, 2010, to consider the proposed amendment to the Junction City Subdivision Regulations concerning exemptions from platting by adding a new section to allow a building permit to be issued without having to plat the property. Section 505.030 and Section 505.040 of the City of Junction City Code prohibits the issuance of building permits on unplatted land. Staff has discussed the matter of allowing development to expand for improved properties that are unplatted, which occur mostly because of annexations of developed property through the years. Other communities make provisions for these types of building permits to be issued without a formal plat being required, provided certain conditions are met.

Staff is proposing the Subdivision Regulations in Section 455.060 be amended by adding another exemption standard. And that Sections 505.030 and 505.040 be modified to permit issuance of building permits when the conditions in this new language are met. This would apply to lands only within the City of Junction City. There already is a platting exemption for lands in the unincorporated area depending upon lot size.

The proposed draft language for the amendment to the Subdivision Regulations, which requires approval by the MPC prior to adoption, is as follows:

**SECTION 455.060: EXEMPTIONS**

7. *The issuance of permits for repairs, maintenance, continuance of an existing use or occupancy, including the expansion or rebuilding of an existing principal and/or accessory structure or the construction of a permitted accessory building. This provision shall apply only when the repairs and/or expansion conform to all applicable ordinances and codes relating to lot coverage, building setbacks and zoning. In addition, no building permit, zoning certificate or occupancy certificate shall be issued for a building or structure on any unplatted lot, tract or parcel of land until the applicant has first shown, by satisfactory evidence to the*

*building permit issuing officer or his (her) delegated agent, that the following conditions exist:*

- A. The tract or parcel is not landlocked, i.e., has proper frontage and access to a public road or street.*
- B. The tract or parcel has access to all utility and telephone services by way of a recorded easement dedicated to the public. The easement serving the property shall not be less than 20 feet in width where adjacent to a rear property line or less than 10 feet in width where adjacent to a side property line. The easement shall extend continuously to a service entrance point and exit point for all the utilities and telephone services. If easements providing such service are not present, said easements shall be provided by separate instrument.*
- C. Any required permit for utility service has been obtained.*
- D. The proposed building site, as designated on a plot plan, is not located on land subject to flooding. Any designated flood hazard areas, channels or waterways which exist on the property and which carry runoff from adjacent property or public roads shall be protected by a recorded grant of easement, dedication or similar devise.*
- E. If the property is located adjacent to a public road right-of-way that does not conform to the requirements of these regulations, additional right-of-way shall be granted by dedication by separate instrument to conform to the provisions of these regulations.*

*It shall be the responsibility of the property owner or his agent to provide the Zoning Administrator copies of recorded instruments which show both the name of the current owner and a complete legal description of the property for which an exemption is requested.*

*Any request made in writing to the Zoning Administrator for a determination of being exempt from these regulations shall be answered, in writing, either in the affirmative or negative within 30 days of the filing of the request, or the exemption shall be considered granted.*

There will also need to be some language changes to the provisions in Section 505.030 and Section 505.040 acknowledging the exemption to the platting requirement subject to this new language if approved.

Staff is recommending the MPC recommend approval of these amendments.

**SAMPLE MOTION:**

I move that the proposed amendments to the Junction City Subdivision Regulations adding Section 455.060 concerning exemptions to the platting requirement within the City of Junction City be recommended for approval by the City Commission of the City of Junction City, Kansas.



**ORDINANCE NO. G-1075**

**AN ORDINANCE AMENDING TITLE IV. LAND USE, CHAPTER 455: SUBDIVISION REGULATIONS, ARTICLE I, ADOPTION, TITLE, PURPOSE, AUTHORITY AND JURISDICTION, SECTION 455.060, EXEMPTIONS; AND TITLE V, BUILDING AND CONSTRUCTION, CHAPTER 505: BUILDING CODE, SECTION 505.030 BUILDING ON UNPLATTED LAND PROHIBITED, AND SECTION 505.040 NO BUILDING PERMIT TO BE ISSUED FOR A BUILDING OR STRUCTURE ON UNPLATTED LAND, OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS.**

**WHEREAS**, the Junction City – Geary County Metropolitan Planning Commission did on July 7, 2010, conduct a public hearing on the proposed amendments to the Junction City Subdivision Regulations pertaining to amending certain sections of said Subdivision Regulations pertaining to exemptions from platting; and,

**WHEREAS**, the Junction City – Geary County Metropolitan Planning Commission recommended that the Subdivision Regulations for Junction City, Kansas, be amended to accommodate certain exemptions from platting and that the City Code of the City of Junction City, Kansas, be amended to allow building permits to be issued on certain unplatted lands; and,

**WHEREAS**, this City Commission has reviewed the record of said Metropolitan Planning Commission meeting and thoroughly discussed the recommendation made therein.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:**

**Section 1. Section 444.060, EXEMPTIONS, is hereby amended by adding the following language:**

7. The issuance of permits for repairs, maintenance, continuance of an existing use or occupancy, including the expansion or rebuilding of an existing principal and/or accessory structure or the construction of a permitted accessory building. This provision shall apply only when the repairs and/or expansion conform to all applicable ordinances and codes relating to lot coverage, building setbacks and zoning. In addition, no building permit, zoning certificate or occupancy certificate shall be issued for a building or structure on any unplatted lot, tract or parcel of land until the applicant has first shown, by satisfactory evidence to the building permit issuing officer or his (her) delegated agent, that the following conditions exist:

- A. The tract or parcel is not landlocked, i.e., has proper frontage and access to a public road or street.

- B. The tract or parcel has access to all utility and telephone services by way of a recorded easement dedicated to the public. The easement serving the property shall not be less than 20 feet in width where adjacent to a rear property line or less than 10 feet in width where adjacent to a side property line. The easement shall extend continuously to a service entrance point and exit point for all the utilities and telephone services. If easements providing such service are not present, said easements shall be provided by separate instrument.
- C. Any required permit for utility service has been obtained.
- D. The proposed building site, as designated on a plot plan, is not located on land subject to flooding. Any designated flood hazard areas, channels or waterways which exist on the property and which carry runoff from adjacent property or public roads shall be protected by a recorded grant of easement, dedication or similar devise.
- E. If the property is located adjacent to a public road right-of-way that does not conform to the requirements of these regulations, additional right-of-way shall be granted by dedication by separate instrument to conform to the provisions of these regulations.

It shall be the responsibility of the property owner or his agent to provide the Zoning Administrator copies of recorded instruments which show both the name of the current owner and a complete legal description of the property for which an exemption is requested.

Any request made in writing to the Zoning Administrator for a determination of being exempt from these regulations shall be answered, in writing, either in the affirmative or negative within 30 days of the filing of the request, or the exemption shall be considered granted.

**Section 2. Section 505.030, BUILDING ON UNPLATTED LANDS PROHIBITED, is hereby amended by repealing the existing language and replacing it with the following:**

No building or structure within the City limits of Junction City, Kansas, shall be built or erected on any unplatted land within the City limits of Junction City, Kansas, except in conformance with the provisions of Section 455.060 of this Code. The phrase "*unplatted land*" shall mean any tract of land located within the City limits of Junction City, Kansas, which shall not have been platted and approved as provided by law by the Metropolitan Planning Commission and the City Commission and which plat shall not have been acknowledged, filed and recorded in the office of the Geary County Register of Deeds, as provided by law for the

purpose of showing building lots, streets, alleys (if appropriate), utility easements or other appropriate public dedications.

**Section 3. Section 505.040, NO BUILDING PERMIT TO BE ISSUED FOR A BUILDING OR STRUCTURE ON UNPLATTED LAND, is hereby amended by repealing the existing language and replacing it with the following:**

The Codes Administrator of the City of Junction City, Kansas, or his/her duly authorized assistant shall not issue any building permit for the purpose of construction of any building or structure on unplatted land; provided however, a building permit may be issued if the provisions of Section 455.060 of this Code have been met.

**Section 4. This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.**

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

\_\_\_\_\_  
**MICHAEL RHODES, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**TYLER FICKEN, CITY CLERK**



7c

## City of Junction City

### City Commission

### Agenda Memo

8-12-2010

**From:** Tyler Ficken, City Clerk  
**To:** Gerry Vernon, City Manager  
**Subject:** Sales Tax Increase Ordinance S-3085

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**Objective:** An Ordinance S-3085 authorizing the imposition of a one percent (1%) City-wide sales tax and related matters.

**Explanation of Issue:** The City Commission on May 18, 2010 requested authorization to impose a one percent sales tax increase. On August 3, 2010 the voters approved the measure. The City Clerk will provide a certified copy of the Ordinance to the State Director of Taxation, and publish the Ordinance.

**Budget Impact:** The levy of a one percent (1%) citywide retailers' sales tax and the application of the revenue received therefrom to provide debt service relief and property tax relief is hereby authorized, with collection of such sales tax to commence in accordance with the Act on January 1, 2011, and to expire ten (10) years from the date such sales tax is first collected....

**Suggested Motion:**

Commissioner \_\_\_\_\_ moved to approve S-3085.

**Recommendation:** Staff recommendation is the approve S-3085

**Enclosures:** S-3085

**ORDINANCE NO. S-3085**

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS AUTHORIZING THE IMPOSITION OF A ONE PERCENT (1%) CITY-WIDE SALES TAX AND RELATED MATTERS.**

**WHEREAS**, pursuant to the provisions of 12-187 *et seq.*, as amended, (the "Act"), the City of Junction City, Kansas (the "City") is authorized to implement a local retailers' sales tax upon all retail sales within the boundaries of the City, except as specifically exempted by the Act;

**WHEREAS**, on May 18, 2010 the Governing Body of the City adopted Resolution R-2609 which requested authorization to impose a one percent (1%) citywide retailers' sales tax, the proceeds of which shall be used for an additional source of revenue to provide debt service relief and property tax relief, to commence on January 1, 2011, or as soon thereafter as permitted by law, and shall terminate ten (10) years after its commencement;

**WHEREAS**, the question of the imposition of such sales tax was submitted to the electors of the City at a special question election on August 3, 2010, and at said election a majority of the qualified electors of the City voting on that proposition voted in favor thereof; and

**WHEREAS**, pursuant to the provisions of the Act and the special question election, the Governing Body deems it necessary and advisable to authorize the imposition of such sales tax for the purposes described above.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:**

**SECTION 1. Levy of Sales Tax.** The levy of a one percent (1%) citywide retailers' sales tax and the application of the revenue received therefrom to provide debt service relief and property tax relief is hereby authorized, with collection of such sales tax to commence in accordance with the Act on January 1, 2011, and to expire ten (10) years from the date such sales tax is first collected.

**SECTION 2. Department of Revenue Submittal.** The City Clerk, upon passage of this Ordinance, shall provide a certified copy of the same to the State Director of Taxation pursuant to the Act and request the implementation thereof effective on January 1, 2011.

**SECTION 3. Effective Date.** This Ordinance shall be effective upon passage by the Governing Body, execution by the Mayor and publication in the official City newspaper.

**ADOPTED** by the Governing Body of the City of Junction City, Kansas on  
September 7, 2010.

[SEAL]

\_\_\_\_\_  
Michael Rhodes, Mayor

Attest:

\_\_\_\_\_  
Tyler Ficken, City Clerk





Ba

## **City of Junction City**

### **City Commission**

### **Agenda Memo**

September 1, 2010

**From:** Ralph De Zago, City Prosecutor  
**To:** Mayor & City Commissioners  
**Subject:** 2010 Standard Traffic Ordinance

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**Objective:** To update the City Ordinance to accurately reflect the new 2010 Standard Traffic Ordinance.

**Explanation of Issue:** This ordinance is to regulate traffic in the corporate limits of the City of Junction City, Kansas. Ordinance G-1077 replaces Ordinance G-1058.

**Budget Impact:** There isn't any budget impact.

**Alternatives:** It appears that the City Commission has the following alternatives concerning the issues at hand.

Approve, table or revise this proposal

**Recommendation:** Staff recommendation that the City Commission approve G-1077 updating the City Ordinance with the 2010 Standard Traffic Ordinances.

**Enclosures:** Ordinance G-1077

**ORDINANCE NO. G-1077**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF JUNCTION CITY, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2010, PREPARED AND PUBLISHED IN BOOK FORM BY THE LAEGUE OF KANSAS MUNICIPALITIES, TOPEKA, KANSAS; CHANGING SECTION 320.010 OF THE CODE OF THE CITY OF JUNCTION CITY, 2009 AND REPEALING ORDINANCE G-1058.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

SECTION 320.010 is changed to read as follows:

**SECTION 320.010**

A. There is hereby incorporated by reference for the purpose of regulating traffic in the corporate limits of the city of Junction City, Kansas, that certain Standard Traffic Ordinance known as the "Standard Traffic Ordinance for Kansas Cities, Edition of 2010", prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas save and except such Articles, Sections, parts or portions as are hereinafter omitted, deleted, modified or changed or have been previously modified, changed or added.

B. No fewer than three (3) copies of the Standard Traffic Ordinance shall be marked or stamped with Official Copy as adopted by Ordinance No. G-1077 with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

C. The Police Department, Municipal Court Judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of the Standard Traffic Ordinance similarly marked as may be deemed expedient.

D. Violations of the Standard Traffic Ordinance shall be cited in Complaints or Uniform Citations as "Section 300.\_\_\_\_\_", as appropriate for the offense charged.

E. Existing Section 302.010 of the Code of the City of Junction City, 2009 and Ordinance G-1058 are hereby repealed.

This ordinance shall become effective upon its publication once in the Junction City Daily Union.

PASSED AND ADOPTED THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2010.

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Michael Rhodes  
Mayor

ATTEST:

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Tyler Ficken  
City Clerk

8b

## City of Junction City

### City Commission

#### Agenda Memo

September 7, 2010

**From:** Gerry Vernon, City Manager  
**To:** City Commission  
**Subject:** **Sale or Disposition of City Property**

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**Objective:** Approval of disposition of City property by the identification of surplus properties, the manner of disposition of those properties, and any conditions of sale or award associated with those properties.

**Explanation of Issue:** A component of the cash flow recovery plan is the disposition of "surplus" properties that were acquired by the City over the years for various reasons. While the City of Junction City has not formally adopted an operating procedure for the disposition of property, a typical procedure would be as follows: 1.) the governing body formally determines whether or not it is in the city's best interest to dispose of surplus properties as identified and recommended by staff 2.) The governing body then specifies the manner of disposition i.e. negotiation, public auction, sealed bid, or other method. 3.) The governing body shall specify to staff any conditions of sale or award such as: minimum bid; award to highest bidder; awarded by best bid or best use; or any other conditions.

Digital block maps with the placement of the surplus lots will be available for viewing at the meeting to assist the Commission in the decision making.

**Budget Impact:** The disposition of properties will positively impact the budget.

**Alternatives:** The Commission may approve, deny, or postpone this item.

**Recommendation:** Staff recommends consideration and approval of properties identified in the attached spreadsheet as well as the manner of disposition and any conditions of sale.

**Enclosures:** Junction City Properties Spreadsheet

# Junction City Properties

as of 8/302010

## PROPOSED TO SELL:

**Address:** **Legal Description:**

**Note:** **Appraiser Value:**

**Recommendation to Commission:**

136 3rd St  
215 E 14th St  
436 W 11th St  
617 N Washington St  
Elmdale Ave

Lot 19, Block 55, Junction City Plat.  
Lot 12-13, Block 47, Railroad Subdivision, SS11  
E40 of Lot 12, Block 20, Cuddys Addition - Not Buildable  
S 20.91 of N24 41 Lt 10, Blk 27 Junction City Plat - Comm'r'l  
POB SW Cor Lot 27 Block 2, N. Wind Plc Addition NE201;SE20;  
NE25 SE585 NE750 NW265 SW328.2, NW4...S. to POB

Empty Lot \$6,990 Sell - no minimum bid.  
Empty Lot \$7,320 50' x 100' Sell - no minimum bid.  
Empty Lot \$6,400 46'x140' lot Sell - no minimum bid  
Old Store \$43,970 Sell - no minimum bid.  
Empty Lot \$117,680 12 acres Land next to airport - originally purchased to clean area/extend runway

Sealed bid.  
Sealed bid.  
Sealed bid.  
Auction or Sealed bid.  
Sealed bid.

Riley Manor Cir  
S Franklin St

POB SW Cor Lot 3, Block 2 etc.....  
S Wly 106 Sely 11 to POB, Rile Manor  
E40 Block C Schnells Addition; Small - not developable

Empty Lot \$24,050 Buildable size - access issue.  
Empty Lot \$7,410 Sell - no minimum bid.  
Sell - no minimum bid.  
Sell - negotiate with adjoining landowner.

Sealed bid.  
Negotiate Adj Prop.

## Land Group:

W 18th St  
W 18th St  
W 18th St

Land at top of hill - steep access  
Lots 13-24, Block 3, Marston Addition  
Lots 6-11, Block 5, Marston Addition  
Lots 1-11, Block 4, Marston Addition

Empty Lot \$8,760 Could Sell - Platted for Housing  
Empty Lot \$74,520  
Empty Lot \$1,960

Park Wilderness

## 10th/ Wash. Lots:

E 10th St  
113 E 10th St  
115 E 10th St  
125 E 10th St  
917 N Washington St  
921 N Washington St

Lot 5, Block 8, Junction City Plat  
Lot 6, Block 8, Junction City Plat  
Lot 7 Block 8, Junction City Plat  
Lot 4, Block 8, Junction City Plat  
Lot 10, Block 8, Junction City Plat  
Lot 8-9, Block 8, Junction City Plat

Empty Lot \$9,870 Sell as one developable piece of ground.  
Empty Lot \$13,910 Minimum bid \$100,000  
Empty Lot \$6,960 Contingency--must develop within 1 year.  
Empty Lot \$6,960  
Empty Lot \$20,310  
Empty Lot \$28,750

Sealed bid.

8c

## City of Junction City

### City Commission

### Agenda Memo

September 7, 2010

**From:** Gerry Vernon, City Manager  
**To:** City Commission  
**Subject:** Ordinance Revision – G-1078 Water Rates

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**Objective:** Approval of the Ordinance G-1078 to amend the current municipal code concerning water rates.

**Explanation of Issue:** The cash flow recovery plan as proposed includes an initial \$15.00 increase to base rate structures for the water, wastewater, and refuse funds. After January 1, 2011, the plan calls for a reduction in that overall increase to \$7.00.

Specifically the plan calls for the following changes to water charges:

- a. \$7.00 increase in the monthly minimum rate until 12/31/2010
- c. Increase in delinquency penalty from 5% to 10%
- d. Provides for annual increase according to consumer price index
- e. Provides for roll back of water rates to \$3.00 per month minimum charge at 1/1/2011

**Budget Impact:** The intent of the amendment is to provide critical cash flow to the City.

**Alternatives:** It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

- 1. Approve the Ordinance Revision
- 2. Disapprove the Ordinance Revision
- 3. Modify the Ordinance Revision
- 4. Table the request.

**Suggested Motion:**

Commissioner \_\_\_\_\_ moved to approve Ordinance G-1078 that establishes new monthly rates for water usage.

Commissioner \_\_\_\_\_ seconded the motion.

**Recommendation:** I am recommending the approval of the revision to ordinance G-1078

**Enclosures:** Proposed revision G-1078

**REQUEST FOR DECLARATION OF EMERGENCY**

REQUEST OF THE MAYOR OF THE CITY OF JUNCTION CITY, KANSAS FOR THE DECLARATION BY THE CITY COMMISSION OF SAID CITY OF THE EXISTENCE OF A PUBLIC EMERGENCY REQUIRING THE FINAL PASSAGE OF AN ORDINANCE BELOW DESIGNATED.

**TO THE MEMBERS OF THE CITY COMMISSION OF THE CITY OF JUNCTION CITY, KANSAS:**

I, Mike Rhodes, Mayor of the City of Junction City, Kansas, hereby request that the City Commission declare that a public emergency exists requiring the final adoption and passage on September 7, 2010, the date of its introduction, of **Ordinance G-1078** entitled:

**AN ORDINANCE RELATING TO WATER AND WATERWORKS BY AMENDING SECTION 700.170, ENTITLED "WATER RATES-MONTHLY MINIMUM CHARGE," AND 700.200, ENTITLED "PAYABLE MONTHLY," OF ARTICLE I, ENTITLED "WATERWORKS REGULATIONS," OF CHAPTER 700, ENTITLED "WATER AND WATERWORKS," OF TITLE VII, ENTITLED "UTILITIES," OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS.**

The general nature of such emergency is to enable the City to implement the increase in revenues provided in said Ordinance as soon as possible to assist the City in meeting anticipated shortfalls in revenues.

It is therefore expedient at this time that the City Commission find and declare that a public emergency exists by reason of the foregoing and that the above-entitled ordinance be finally adopted and passed on the day of its introduction.

Executed at Junction City, Kansas on this 7<sup>th</sup> day of September, 2010.

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Mike Rhodes, Mayor

(SEAL)

ATTEST:

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Tyler Ficken, City Clerk

**SECTIONS RELATING TO WATER RATES MARKED TO SHOW CHANGES MADE  
BY PROPOSED ORDINANCE G-1078**

**SECTION 700.170: WATER RATES – MONTHLY MINIMUM CHARGE.**

A. The rates per month to be charged and paid for water sold from the Municipal Water System of the City of Junction City, Kansas, shall be as follows:

<i>Meter Size</i>	<u>Monthly Minimum Charge (Includes First 200 C.F. of Usage) Rate</u>
Water meters 1 inch and less	\$ 9.50
Water meters over 1 inch and up to and including 1 ½ inches	\$ 76.75
Water meters over 1 ½ inches and up to and including 2 inches	\$155.00
Water meters over 2 inches and up to and including 3 inches	\$230.75
Water meters over 3 inches and up to and including 4 inches	\$307.00
Water meters 4 inch and above	\$385.00

For the period September 10, 2010 through December 31, 2010:

<u><i>Meter Size</i></u>	<u>Monthly Minimum Charge (Includes First 200 C.F. of Usage) Rate</u>
<u>Water meters 1 inch and less</u>	<u>\$ 18.51</u>
<u>Water meters over 1 inch and up to and including 1 ½ inches</u>	<u>\$100.19</u>
<u>Water meters over 1 ½ inches and up to and including 2 inches</u>	<u>\$195.22</u>
<u>Water meters over 2 inches and up to and including 3 inches</u>	<u>\$287.22</u>
<u>Water meters over 3 inches and up to and including 4 inches</u>	<u>\$379.81</u>
<u>Water meters 4 inch and above</u>	<u>\$476.90</u>

For the period commencing January 1, 2011:

<u><i>Meter Size</i></u>	<u>Monthly Minimum Charge (Includes First 200 C.F. of Usage) Rate</u>
<u>Water meters 1 inch and less</u>	<u>\$ 14.51</u>
<u>Water meters over 1 inch and up to and including 1 ½ inches</u>	<u>\$ 96.19</u>
<u>Water meters over 1 ½ inches and up to and including 2 inches</u>	<u>\$191.22</u>
<u>Water meters over 2 inches and up to and including 3 inches</u>	<u>\$283.22</u>
<u>Water meters over 3 inches and up to and including 4 inches</u>	<u>\$375.81</u>
<u>Water meters 4 inch and above</u>	<u>\$472.90</u>

Each year hereafter commencing with 2011, on August first (1<sup>st</sup>), the above water rates shall be adjusted by the amount of the increase in the Consumer Price Index, as published, for the preceding twelve months.

**SECTION 700.200:            PAYABLE MONTHLY.**

B. Delinquency Penalty. All bills unpaid twenty (20) working days after date of issue shall be considered delinquent and subject to an additional charge of ten ~~five~~-percent (10~~5~~%) on the gross amount of the billing.



**ORDINANCE NO. G-1078**

**AN ORDINANCE RELATING TO WATER AND WATERWORKS BY AMENDING SECTION 700.170, ENTITLED "WATER RATES-MONTHLY MINIMUM CHARGE," AND 700.200, ENTITLED "PAYABLE MONTHLY," OF ARTICLE I, ENTITLED "WATERWORKS REGULATIONS," OF CHAPTER 700, ENTITLED "WATER AND WATERWORKS," OF TITLE VII, ENTITLED "UTILITIES," OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:**

**Section 1.** Section 700.170 to Article I of Chapter 700 of Title VII the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 700.170(A) and substituting therefor the following new Section 700.170(A) to read as follows:

**SECTION 700.170: WATER RATES – MONTHLY MINIMUM CHARGE.**

A. The rates per month to be charged and paid for water sold from the Municipal Water System of the City of Junction City, Kansas, shall be as follows:

**For the period September 10, 2010 through December 31, 2010:**

<i>Meter Size</i>	<b>Monthly Minimum Charge (Includes First 200 C.F. of Usage) Rate</b>
Water meters 1 inch and less	\$ 18.51
Water meters over 1 inch and up to and including 1 ½ inches	\$100.19
Water meters over 1 ½ inches and up to and including 2 inches	\$195.22
Water meters over 2 inches and up to and including 3 inches	\$287.22
Water meters over 3 inches and up to and including 4 inches	\$379.81
Water meters 4 inch and above	\$476.90

**For the period commencing January 1, 2011:**

<i>Meter Size</i>	<b>Monthly Minimum Charge (Includes First 200 C.F. of Usage) Rate</b>
Water meters 1 inch and less	\$ 14.51
Water meters over 1 inch and up to and including 1 ½ inches	\$ 96.19
Water meters over 1 ½ inches and up to and including 2 inches	\$191.22
Water meters over 2 inches and up to and including 3 inches	\$283.22
Water meters over 3 inches and up to and including 4 inches	\$375.81
Water meters 4 inch and above	\$472.90

Each year commencing with 2011, on the first day of August, the above water rates shall be adjusted by the amount of the increase in the Consumer Price Index, as published, for the preceding twelve months.

**Section 2.** Section 700.200 to Article I of Chapter 700 of Title VII the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 700.200(B) and substituting therefor the following new Section 700.200(B) to read as follows:

**SECTION 700.200: PAYABLE MONTHLY.**

B. Delinquency Penalty. All bills unpaid twenty (20) working days after date of issue shall be considered delinquent and subject to an additional charge of ten percent (10%) on the gross amount of the billing.

**Section 3.** All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in the official City newspaper, all as provided by law.

PASSED by the Governing Body of the City on September 7, 2010 and signed by the Mayor.

(Seal)

\_\_\_\_\_  
Mike Rhodes, Mayor

ATTEST

\_\_\_\_\_  
Tyler Ficken, City Clerk

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## City of Junction City

### City Commission

### Agenda Memo

September 7, 2010

**From:** Gerry Vernon, City Manager  
**To:** City Commission  
**Subject:** Ordinance Revision – G-1079 Sewer Rates

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**Objective:** Approval of the Ordinance G-1079 to amend the current municipal code concerning sewer rates.

**Explanation of Issue:** The cash flow recovery plan as proposed includes an initial \$15.00 increase to base rate structures for the water, sewer, and refuse funds. After January 1, 2011, the plan calls for a reduction in that overall increase to \$7.00.

Specifically the plan calls for the following changes to sewer charges:

- a. \$4.00 increase in the monthly minimum rate until 12/31/2010
- c. Increase in delinquency penalty from 5% to 10%
- d. Provides for annual increase according to consumer price index
- e. Provides for roll back of water rates to \$2.00 per month minimum charge at 1/1/2011

**Budget Impact:** The intent of the amendment is to provide critical cash flow to the City.

**Alternatives:** It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

1. Approve the Ordinance Revision
2. Disapprove the Ordinance Revision
3. Modify the Ordinance Revision
4. Table the request.

**Suggested Motion:**

Commissioner \_\_\_\_\_ moved to approve Ordinance G-1079 that establishes new monthly rates for water usage.

Commissioner \_\_\_\_\_ seconded the motion.

**Recommendation:** I am recommending the approval of the revision to ordinance G-1079

**Enclosures:** Proposed revision G-1079

**REQUEST FOR DECLARATION OF EMERGENCY**

REQUEST OF THE MAYOR OF THE CITY OF JUNCTION CITY, KANSAS FOR THE DECLARATION BY THE CITY COMMISSION OF SAID CITY OF THE EXISTENCE OF A PUBLIC EMERGENCY REQUIRING THE FINAL PASSAGE OF AN ORDINANCE BELOW DESIGNATED.

**TO THE MEMBERS OF THE CITY COMMISSION OF THE CITY OF JUNCTION CITY, KANSAS:**

I, Mike Rhodes, Mayor of the City of Junction City, Kansas, hereby request that the City Commission declare that a public emergency exists requiring the final adoption and passage on September 7, 2010, the date of its introduction, of **Ordinance G-1079** entitled:

**AN ORDINANCE RELATING TO SEWERS BY AMENDING SECTION 705.230, ENTITLED "ACTUAL USE RATE STRUCTURE," AND 705.240, ENTITLED "BILLING," OF ARTICLE I, ENTITLED "PUBLIC AND PRIVATE SEWERS-GENERAL PROVISIONS," OF CHAPTER 705, ENTITLED "SEWERS," OF TITLE VII, ENTITLED "UTILITIES," OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS.**

The general nature of such emergency is to enable the City to implement the increase in revenues provided in said Ordinance as soon as possible to assist the City in meeting anticipated shortfalls in revenues.

It is therefore expedient at this time that the City Commission find and declare that a public emergency exists by reason of the foregoing and that the above-entitled ordinance be finally adopted and passed on the day of its introduction.

Executed at Junction City, Kansas on this 7<sup>th</sup> day of September, 2010.

---

Mike Rhodes, Mayor

(SEAL)

ATTEST:

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Tyler Ficken, City Clerk

MARKED TO SHOW CHANGES TO SEWER FEES MADE BY PROPOSED  
ORDINANCE G-1079

**SECTION 705.230: ACTUAL USE RATE STRUCTURE.**

C. The ~~\_\_\_\_\_~~ For the period September 10, 2010 through December 31, 2010, the minimum charge per month shall be twenty-twosix dollars (~~\$22.00~~\$26.00) for the first (1st) two hundred (200) cubic feet of consumption. ~~In addition, Commencing January 1, 2011, the minimum charge per month shall be twenty-four dollars (\$24.00) for the first two hundred (200) cubic feet of consumption. In addition to the above minimum monthly charge, each contributor shall pay a user charge rate of ninety cents (\$.90) per one hundred (100) cubic feet of water for all use over two hundred (200) cubic feet as determined in Subsection (B) of this Section. The rates in this Subsection shall become effective August 1, 2003. Each year commencing with 2011, on the first day of August, the minimum monthly charge shall be adjusted by the amount of the increase in the Consumer Price Index, as published, for the preceding twelve months.~~

**SECTION 705.240: BILLING.**

C. A late payment penalty of ~~five~~ten percent (~~\$~~10%) of the user charge bill will be added to each delinquent bill after it becomes delinquent. When any bill is thirty (30) days delinquent, rendition of water and/or sewer service to such premises shall be discontinued until such bill is paid following due notice and opportunity for hearing.

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Insertions	8
Deletions	9
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Style change	0
Format changed	0
Total changes	17

**ORDINANCE NO. G-1079**

**AN ORDINANCE RELATING TO SEWERS BY AMENDING SECTION 705.230, ENTITLED "ACTUAL USE RATE STRUCTURE," AND 705.240, ENTITLED "BILLING," OF ARTICLE I, ENTITLED "PUBLIC AND PRIVATE SEWERS-GENERAL PROVISIONS," OF CHAPTER 705, ENTITLED "SEWERS," OF TITLE VII, ENTITLED "UTILITIES," OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:**

**Section 1.** Section 705.230 to Article I of Chapter 705 of Title VII the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 705.230(C) and substituting therefor the following new Section 705.230(C) to read as follows:

**SECTION 705.230: ACTUAL USE RATE STRUCTURE.**

C. For the period September 10, 2010 through December 31, 2010, the minimum charge per month shall be twenty-six dollars (\$26.00) for the first two hundred (200) cubic feet of consumption. Commencing January 1, 2011, the minimum charge per month shall be twenty-four dollars (\$24.00) for the first two hundred (200) cubic feet of consumption. In addition to the above minimum monthly charge, each contributor shall pay a user charge rate of ninety cents (\$.90) per one hundred (100) cubic feet of water for all use over two hundred (200) cubic feet as determined in Subsection (B) of this Section. Each year commencing with 2011, on the first day of August, the minimum monthly charge shall be adjusted by the amount of the increase in the Consumer Price Index, as published, for the preceding twelve months.

**Section 2.** Section 705.240 to Article I of Chapter 705 of Title VII the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 705.240(C) and substituting therefor the following new Section 705.240(C) to read as follows:

**SECTION 705.240: BILLING.**

C. A late payment penalty of ten percent (10%) of the user charge bill will be added to each delinquent bill after it becomes delinquent. When any bill is thirty (30) days delinquent, rendition of water and/or sewer service to such premises shall be discontinued until such bill is paid following due notice and opportunity for hearing.

**Section 3.** All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in the official City newspaper, all as provided by law.

PASSED by the Governing Body of the City on September 7, 2010 and signed by the Mayor.

(Seal)

Mike Rhodes, Mayor

ATTEST

Tyler Ficken, City Clerk



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## City of Junction City

### City Commission

### Agenda Memo

September 7, 2010

**From:** Gerry Vernon, City Manager  
**To:** City Commission  
**Subject:** Ordinance Revision – G-1080 Refuse Rates

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**Objective:** Approval of the Ordinance G-1080 to amend the current municipal code concerning refuse rates.

**Explanation of Issue:** The cash flow recovery plan as proposed includes an initial \$15.00 increase to base rate structures for the water, wastewater, and refuse funds. After January 1, 2011, the plan calls for a reduction in that overall increase to \$7.00.

Specifically the plan calls for the following changes to refuse charges:

- a. \$4.00 increase in the monthly residential rate
- b. Increase in dumpster rate
- c. Increase in delinquency penalty from 5% to 10%
- d. Provides for city to be exclusive residential trash hauler
- e. Provides for roll back of residential rates to \$2.00 per month (dumpster charges and others will remain.)
- f. Provides for annual increase in residential rate according to consumer price index

**Budget Impact:** The intent of the amendment is to provide critical cash flow to the City.

**Alternatives:** It appears that the City Commission has the following alternatives concerning the issues at hand. The Commission may:

- 1. Approve the Ordinance Revision
- 2. Disapprove the Ordinance Revision
- 3. Modify the Ordinance Revision
- 4. Table the request.

**Suggested Motion:**

Commissioner \_\_\_\_\_ moved to approve Ordinance G-1080 that establishes new monthly rates for refuse collection.

**Recommendation:** I am recommending the approval of the revision to ordinance G-10-80

**Enclosures:** Proposed revision G-1080

**REQUEST FOR DECLARATION OF EMERGENCY**

REQUEST OF THE MAYOR OF THE CITY OF JUNCTION CITY, KANSAS FOR THE DECLARATION BY THE CITY COMMISSION OF SAID CITY OF THE EXISTENCE OF A PUBLIC EMERGENCY REQUIRING THE FINAL PASSAGE OF AN ORDINANCE BELOW DESIGNATED.

**TO THE MEMBERS OF THE CITY COMMISSION OF THE CITY OF JUNCTION CITY, KANSAS:**

I, Mike Rhodes, Mayor of the City of Junction City, Kansas, hereby request that the City Commission declare that a public emergency exists requiring the final adoption and passage on September 7, 2010, the date of its introduction, of **Ordinance G-1080** entitled:

**AN ORDINANCE RELATING TO REFUSE BY AMENDING SECTION 240.010, ENTITLED "PURPOSE AND POLICY," SECTION 240.030, ENTITLED "COLLECTION OF REFUSE," SECTION 240.160, ENTITLED "CHARGES FOR SERVICES," AND SECTION 240.200, ENTITLED "CHARGES FOR SERVICES-DELINQUENT ACCOUNTS," OF CHAPTER 240, ENTITLED "REFUSE," OF TITLE II, ENTITLED "PUBLIC HEALTH AND WELFARE," OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS.**

The general nature of such emergency is to enable the City to implement the increase in revenues provided in said Ordinance as soon as possible to assist the City in meeting anticipated shortfalls in revenues.

It is therefore expedient at this time that the City Commission find and declare that a public emergency exists by reason of the foregoing and that the above-entitled ordinance be finally adopted and passed on the day of its introduction.

Executed at Junction City, Kansas on this 7<sup>th</sup> day of September, 2010.

---

Mike Rhodes, Mayor

(SEAL)

ATTEST:

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Tyler Ficken, City Clerk

CHAPTER 240 – REFUSE - MARKED TO SHOW CHANGES TO THIS CHAPTER ,  
INCLUDING REFUSE FEES, MADE BY PROPOSED ORDINANCE G-1080

CHAPTER 240: REFUSE

SECTION 240.010: PURPOSE AND POLICY

It is the policy of the City of Junction City that in order to insure a clean, healthy and safe environment for the citizens of the City, every resident must be required to properly dispose of all ~~garbage and trash~~ refuse generated by the resident. In order to accomplish this end, the following procedures and mechanisms are established: Every residential unit and multi-family residence in the City of Junction City will have its ~~garbage and trash~~ refuse collected on a regularly scheduled basis by either the City of Junction City ~~or a properly licensed contracted~~ or City Refuse Collector or private refuse collector. In order to insure that all residents comply with these requirements, it shall be the responsibility of the occupant of each residential unit or the owner of each multi-family ~~residential unit~~ residence to notify the City of Junction City whether they wish to have their ~~garbage and trash~~ refuse collected by the City or by a named private collector ~~refuse collector~~ provided that from and after September 10, 2010, every residential unit in the City shall be required to have its refuse collected by the City (or City Refuse Collector), unless, prior to such date, the occupant of such residential unit had (a) notified the City that it wished to utilize a private refuse collector, and (b) was in fact utilizing a private refuse collector on such date. (CC 1965 §8-401; Ord. No. G-710 §8-401, 3-14-89; Ord. No. G-816 §1(8-401), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.020: DEFINITIONS

Unless clearly indicated otherwise by the context, the following words and terms, as used in this Chapter, shall have the following meanings:

**BUNDLE(S):** Items of refuse such as trimmings from bushes and trees and other items which are too large for storage in standard containers must be tied into bundles which shall not exceed seventy-two (72) inches in length, are of a volume which can be handled easily by two (2) people and are of a weight not in excess of one hundred (100) pounds.

**CITY REFUSE COLLECTOR:** Any individual, firm, partnership, corporation or employees thereof under contract with the City for the collection, removal and final disposition of refuse, garbage, trash from all premises owned, rented, leased or occupied by any householder within the City under the direction and supervision of the City Manager or his/her designate.

**COMMERCIAL BUILDING MATERIALS:** Rubbish from commercial construction enterprises, commercial remodeling, commercial demolition and commercial repair operations on houses and other structures including, but not limited to, excavated earth, rocks, concrete, asphalt, roofing and waste parts.

**DWELLING UNIT:** One (1) or more rooms in a residence which are arranged, designed, used or intended for use by one (1) family or person, and which includes cooking space and lawful sanitary facilities reserved for the occupants thereof.

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**GARBAGE:** Includes all putrid wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognizable industrial by-products from all public properties, private residences and business establishments.

**MAXIMUM INTERVALS FOR REFUSE COLLECTION:** All refuse shall be collected sufficiently frequently to prevent the occurrence of nuisances and public health problems. Such collections shall be made at regularly scheduled intervals of not less than once each week. In the event more frequent collections are deemed necessary to avoid nuisances or public health problems, the frequency of such collections shall be agreed upon in advance by the party concerned and the City Manager or his authorized representative. Recognizable industrial by-products and waste or commercial contractor waste will not be picked up by collection personnel without charge at any time. The collection of refuse within the City shall be under the direct supervision of the City Manager or his authorized representative.

**MULTI-FAMILY RESIDENCE:** Any building containing more than one (1) dwelling unit and shall include all mobile home parks as defined in Chapter 555 of this Code—"Mobile Homes and Manufactured Homes".

**PRIVATE REFUSE COLLECTOR:** Any individual, firm, partnership, corporation or employee thereof who has been licensed by the City to engage in the collection, removal and final disposition of refuse and who has been employed by any other person to render such services.

**REFUSE:** Includes garbage, rubbish, trash, ashes and all other putrid and non-putrid, combustible and noncombustible materials originating from the preparation, cooking and consumption of food, market refuse, waste from the handling and sale of produce, and other similar unwanted materials but shall not include sewage, body wastes or recognizable industrial by-products from all residences and establishments, public and private.

**RESIDENTIAL UNIT:** Any building containing one (1) single-family dwelling unit.

**RUBBISH:** Includes all non-putrescible waste materials, except ashes, from all public and private residences and establishments.

**SPECIAL PICKUPS:** Special collection service that City sanitation customers can request for the removal by City crews or contracted personnel of unusual, heavy or bulky materials. This service includes a City truck and crew to pick up any authorized materials between the regularly scheduled collection days.

**TRASH:** Household goods, household refuse, furniture, springs and mattresses, tin cans, bottles, crockery, broken glass, rugs, rags, hedge cuttings, shrubbery and grass trimmings which are bundled, boxed or otherwise contained, trunks, incinerator refuse, wood not over seventy-two (72) inches in length, packing, excelsior, straw, metal pieces not over seventy-two (72) inches in length, cooking utensils, toys, porcelain and dishes, carpeting, leather, rubber, shoes, clothing, newspapers and cardboard which are bundled, boxed or otherwise contained, household appliances such as ranges, sinks, water heaters, tree trimmings, trees and tree limbs not over seventy-two (72) inches in length which are tied and bundled, non-commercial building materials and other similar materials.

**UNUSUAL, HEAVY, BULKY MATERIALS:** All materials which cannot be collected by regular residential collection service because of dimension, density, weight or the harmful or

potentially harmful nature of such material. Such materials shall include, but not be limited to, trees, tree limbs, tree branches, heavy brush, sod, turf, appliances (freon removal stickers must be affixed to all air-conditioning and refrigeration units), furniture, playground equipment, moving packing crates, roofing material or refuse, bricks, concrete blocks, any and all other remodeling or construction materials or refuse generated by a commercial contractor, concrete, asphalt, rocks, dirt, lumber, pipes and pallets. (CC 1965 §8-402; Ord. No. G-710 §8-402, 3-14-89; Ord. No. G-816 §1(8-402), 11-2-93; Ord. No. G-834 §§1,6, 10-4-94; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

#### SECTION 240.030: COLLECTION OF REFUSE

A. All refuse generated within Junction City, Kansas, shall be removed from the premises on which it was generated as often as necessary to prevent nuisance conditions from occurring. This shall be accomplished by use of a regularly scheduled collection service. ~~Such~~Subject to the requirements of Section 240.010 relating to residential units, such collection service can, at the option of the owner or occupant of the premises, be either by the City of Junction City or duly contracted private firm or by a private licensed collector selected and paid for by the owner or occupant.

The City of Junction City shall not collect commercial building materials such as rubbish from a commercial construction enterprise. Nor will they collect any materials that are not easily picked up by two (2) men. They will not collect any items that are listed on the hazardous or restricted materials list (Section 240.120). They also will not pick up loose rubble or miscellaneous items that are on the ground which could be bagged, bundled or placed in a container.

B. All refuse containers are to be placed at the curb no sooner than twenty-four (24) hours from 6:30 A.M. on the customer's sanitation collection day and are to be removed from the curb within twenty-four (24) hours thereof. (CC 1965 §8-403; Ord. No. G-710 §8-403, 3-14-89; Ord. No. G-816 §1(8-403), 11-2-93; Ord. No. G-834 §§2,6, 10-4-94; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

#### SECTION 240.040: CONTRACTS

The City shall also have the right to enter into a contract with any responsible person for collection and disposal of refuse. (CC 1965 §8-404; Ord. No. G-710 §8-404, 3-14-89; Ord. No. G-816 §1(8-404), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

#### SECTION 240.050: PRIVATE COLLECTORS—LICENSE REQUIRED

A. It shall be unlawful for any person, persons, firms or corporations to collect, remove or transport any garbage and/or trash or to move over, upon or across any street, alley, highway or public thoroughfare within the City of Junction City, any garbage and trash or any other similar material without first obtaining a license from the City.

B. Said license shall be valid for a period not to exceed one (1) year from the date of issuance and may be revoked by the Governing Body of the City of Junction City. Issuance and revocation of said license shall be governed by the provisions of Chapter 615 of this Code.

C. Nothing herein shall be construed to prevent a person from hauling or properly disposing of his/her own refuse as defined in Section 240.020. (CC 1965 §8-405; Ord. No. G-710 §8-405, 3-

14-89; Ord. No. G-816 §1(8-405), 11-2-93; Ord. No. G-942 §§1—2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.060: FREQUENCY OF COLLECTION

A. It shall be the policy of the City of Junction City to collect from City sanitation contracted residential units all refuse as defined above on a once per week schedule or at other frequencies as deemed appropriate by the City Manager.

B. Further, all special pickups of garbage and trash will be collected upon request of the City Customer Service Department for the fees hereinafter set out. (CC 1965 §8-406; Ord. No. G-710 §8-406, 3-14-89; Ord. No. G-816 §1(8-406), 11-2-93; Ord. No. G-834 §3,6, 10-4-94; Ord. No. G-942 §§1—2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.070: CONTAINERS REQUIRED

A. It is declared and made the duty of every owner, manager, householder, tenant and occupant of any dwelling, trailer house or building and the owner or manager of any hospital or business house of any kind to provide or cause to be kept containers specifically designed for the storage of garbage and items of trash capable of fitting in such containers.

B. All authorized containers shall have a tightly-fitting cover or lid, which covers or lids shall remain on said container at all times except when container is being filled or emptied.

C. All containers shall be constructed such that liquid leachate shall not discharge onto the ground surface or become a health nuisance in any way. (CC 1965 §8-407; Ord. No. G-710 §8-407, 3-14-89; Ord. No. G-816 §1(8-407), 11-2-93; Ord. No. G-942 §§1—2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.080: UNAUTHORIZED RESIDENTIAL CONTAINERS

A. Containers Required. Such container shall be constructed of metal or solid plastic materials, strong and durable, not readily corrodible, cat, dog, rodent, vermin and insect proof. Containers shall have a maximum capacity of thirty-two (32) gallons. Such containers shall be equipped with handles to facilitate emptying and shall be equipped with tight-fitting lids or covers constructed of the same material of such design as to preclude the free access of flies and other insects and to prevent the container from collecting water during rains and/or snow. The lid or cover shall be kept in place at all times except when refuse is being deposited therein or removed therefrom by an official collector. Such storage containers should be placed in a convenient accessible location for trucking as may be designated by the City Manager or the official refuse collector. Containers shall be maintained in a clean and sanitary condition.

B. Disposable-type containers shall not exceed forty (40) gallons capacity. Disposable-type, when used, shall be securely closed. Such bags shall be placed in an animal-proof authorized container equipped with a tightfitting lid or cover or stored inside a building, except on collection days.

C. The foregoing limitations on capacity of containers shall apply only to patrons of the City's collection service. (CC 1965 §8-408; Ord. No. G-710 §8-408, 3-14-89; Ord. No. G-816 §1(8-408), 11-2-93; Ord. No. G-834 §§4,6, 10-4-94; Ord. No. G-942 §§1—2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.090: AUTHORIZED CONTAINERS—NUMBER AND  
PLACEMENT

All refuse may be placed in the same container but shall be drained and wrapped before being placed in the container. Said containers shall be placed so as to be accessible to the collectors outside, at the curb, or rear of the lot accessible to the collectors, but not on any street, alley or public place. Said containers must also be so arranged that they cannot be turned over inadvertently by animals or vehicles. In case of dispute as to the place where such containers shall be placed, then such location is to be determined by the City Manager or their designee for such duty. All refuse, as defined above, excluding unusual, heavy and bulky materials, and noncommercial building materials, and items of trash which cannot be practically placed in an authorized container, shall be by the owners, tenants, managers and producers thereof placed in such containers and said containers shall at all times be kept clean and in a sanitary condition by the respective owners, tenants, managers or producers of such garbage, trash and other refuse materials. (CC 1965 §8-409; Ord. No. G-710 §8-409, 3-14-89; Ord. No. G-816 §1(8-409), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.100: AUTHORIZED CONTAINERS—SPECIAL  
CIRCUMSTANCES

Upon application made to City Customer Service Department and approved by the City Manager, physically handicapped persons may make arrangements to place their refuse at some established location other than the curb or rear of the lot. (CC 1965 §8-410; Ord. No. G-710 §8-410, 3-14-89; Ord. No. G-816 §1(8-410), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.101: CONFISCATION OF UNSUITABLE CONTAINERS

The official refuse collection agency of the City is herein authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences when, at the discretion of the Inspections Department, such containers are not suitable for the healthful and sanitary storage of refuse substances. Such unsatisfactory containers shall be removed and disposed of at a place and in a manner designated by the official collecting agency only after the owners of such containers have been duly notified of such impending action. (Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.105: SERVICE OF ORDERS BY THE INSPECTIONS  
DEPARTMENT

It shall be the duty of the Inspections Department to issue orders requiring the proper handling of garbage, trash and refuse on private and public premises to owners, occupants, tenants or lessees or such properties where violations of this Chapter are known to exist. Such orders shall provide that such violations be corrected within the time specified by the Inspections Department. (Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.110: ENTER UPON PRIVATE PREMISES

Collectors, employed by the City or operating under contract with the City, are hereby authorized to enter in and upon private property for the purpose of collecting refuse therefrom as required by this Chapter. (CC 1965 §8-411; Ord. No. G-710 §8-411, 3-14-89; Ord. No. G-816 §1(8-411), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.120:

HAZARDOUS OR RESTRICTED MATERIALS

No person shall deposit in an authorized container or otherwise offer for collection any hazardous garbage and trash. Hazardous or restricted material shall include:

1. Explosive materials;
2. Rags or other waste soaked in volatile and flammable materials;
3. Chemicals;
4. Poisons;
5. Radioactive materials;
6. Highly combustible materials;
7. Soiled dressings, clothing, bedding and/or other waste contaminated by infection or contagious disease;
8. Household appliances that contain chemical refrigerants regulated by the Environmental Protection Agency such as refrigerators, freezers and air-conditioners unless they have certification that the chemical refrigerant has been removed;
9. Automobile, truck or equipment tires;
10. Paint in a liquid form;
11. Any other materials which may present a special hazard to collection or disposal personnel, equipment or to the public;
12. Non-containerized tree trimmings, trees and tree limbs that are over seventy-two (72) inches long (special pickup can handle this request);
13. Any item that is over seventy-two (72) inches long (special pickup available);
14. Excavated earth, rocks, concrete, asphalt, roofing wastes and other commercial building materials. (Special pickup can handle this.) (CC 1965 §8-412; Ord. No. G-710 §8-412, 3-14-89; Ord. No. G-816 §1(8-412), 11-2-93; Ord. No. G-834 §5, 10-4-94; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.130:

PROHIBITED PRACTICES

It shall be unlawful for any person to:

1. Deposit refuse, garbage and trash in any container other than that owned or leased by him/her or under his/her control without written consent of the owner and/or with the intent of avoiding payment of the collection service charge;



2. Interfere in any manner with employees of the City or its contractors in the collection of garbage and trash;

3. Burn refuse, garbage and trash except in an approved incinerator and unless a variance has been granted and a written permit obtained from the City or the appropriate air pollution control agency;

4. Bury garbage and trash at any place within the City except that lawn and garden trimmings may be composted. (CC 1965 §8-413; Ord. No. G-710 §8-413, 3-14-89; Ord. No. G-816 §1(8-413), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

#### SECTION 240.140: OBJECTIONABLE WASTE

A. Manure from cow lots, stables, poultry yards, pigeon lofts and other animal or fowl pens, and waste motor oils shall be removed and disposed of at the expense of the person controlling the same and in a manner consistent with this Chapter and applicable State and Federal laws.

B. Game animal heads, bones, entrails and hides, along with fish scraps, are to be disposed in a sealed bag(s). (CC 1965 §8-414; Ord. No. G-710 §8-414, 3-14-89; Ord. No. G-816 §1(8-414), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

#### SECTION 240.150: UNAUTHORIZED DISPOSAL

No person shall haul or cause to be hauled any garbage, trash or commercial building materials of any kind to any place, site or area within or without the limits of the City unless such site is a sanitary landfill, transfer point or disposal facility approved by the Kansas State Department of Health and Environment. (CC 1965 §8-415; Ord. No. G-710 §8-415, 3-14-89; Ord. No. G-816 §1(8-415), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

#### SECTION 240.160: CHARGES FOR SERVICE

A. The following rate, to be paid in advance as directed by the Governing Body, shall be charged for the collection of ~~garbage and trash~~ refuse from each residential unit as herein provided to be collected:

Authorized containers and trash not required to be put in containers shall be charged to the customer at the rate of ~~fifteen~~nineteen dollars and fifty cents (~~\$15.50~~\$19.50) per dwelling unit per month ~~for the period September 10, 2010 through December 31, 2010, and at the rate of~~ seventeen dollars and fifty cents (\$17.50) per dwelling unit per month commencing January 1, 2011.

In the event refuse is not in place for removal prior to sanitation crews completing pickup in an area, sanitation will return for the pickup once per calendar year at no cost. Additional return service for late pickup by sanitation crews will be charged at a rate of nine dollars (\$9.00) per return pickup.

Each year commencing with 2011, on the first day of August, the above refuse rates shall be adjusted by the amount of the increase in the Consumer Price Index, as published, for the preceding twelve months.

B. Charge for dumpsters shall be as shown:

Dumpster Fees –Residential Complex			
FREQUENCY	2 YD	4 YD	6 YD
Once per week	\$90.00	\$100.00	\$115.00
Twice per Week	\$160.00	\$180.00	\$205.00

Dumpster Fee Rental –Temporary Demolition			
FREQUENCY	2 YD	4 YD	6 YD
Once per week	\$120.00	\$150.00	\$200.00
Twice per Week	\$205.00	\$280.00	\$365.00

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The appropriate volume (size) of dumpster will be determined by the Sanitation Supervisor based on the number of residences being serviced.

(CC 1965 §8-417; Ord. No. G-787 §1(8-417), 10-15-91; Ord. No. G-816 §1(8-416), 11-2-93; Ord. No. G-907 §§1–2, 10-17-00; Ord. No. G-942 §§1–2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

#### SECTION 240.170:

#### CHARGES FOR SERVICE—BILLING

A. All fees provided for in this Chapter shall be collected by the City and such fees shall be added to and noted on the monthly utility bills sent to all users of City utilities and shall be paid in the same manner and at the same time as utility bills. Persons and establishments utilizing City collection service but not connected with the municipal utilities shall be billed separately at the end of each month and all fees shall be paid on or before the tenth (10th) day of the following month.

B. If the owner or occupant of a residential unit or the owner of a multi-family residential unit elects to use a private collector, it shall be the duty of such resident or owner to so notify the City Clerk of the beginning and termination of such private collection service and it shall be the duty of the private collector to notify the City of any and all termination of service contracts with their firm. If no notice is given by owner or occupant of a residential unit or the owner of a multi-family residential unit, or when termination of service notification is received, the City Clerk will render bills for garbage and trash collection service in the manner and amount as provided for in Sections 240.160 and 240.170(A).

C. Each licensed private collector shall provide to the City Clerk, in a format designated by the City Clerk, a list of the names and addresses of all its customers utilizing its services. This report shall be rendered to the City Clerk no later than the fifth (5th) working day of the months of January, April, July and October and shall cover the preceding three (3) month period. In addition, by the fifth (5th) working day of all other months, the private collector shall provide to the City Clerk, in a format designated by the City Clerk, the names and addresses of all persons discontinuing or contracting for the collector's services during the preceding month. The failure by the private collector to submit the required reports at the required time or the submission of materially false or incomplete reports may be cause for termination of the collector's license. (CC 1965 §8-418; Ord. No. G-710 §8-418, 3-14-89; Ord. No. G-816 §1(8-417), 11-2-93; Ord. No. G-942 §§1–2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

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SECTION 240.180: CHARGES FOR SERVICE—SPECIAL PICKUP SERVICE BILLING

All fees incurred pursuant to the customer's use of the special pickup service shall be collected by the City Clerk. This service, "special pickup", will cost the City sanitation customer seventy-five dollars (\$75.00) per five (5) yard truck load, or any part thereof, plus any and all dumping or transfer station fees incurred by sanitation. Non-City sanitation residential customers may request special pickup at the cost of one hundred dollars (\$100.00) per five (5) yard truck load, or any part thereof, plus any and all dumping or transfer station fees incurred by sanitation. (Ord. No. G-816 §1(8-418), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.190: CHARGES FOR SERVICE—RESPONSIBILITY FOR PAYMENT OF FEES

The owner of any dwelling unit, multi-family unit or building utilizing City collection service is hereby made responsible for the collection from his/her tenants of all fees chargeable hereunder and is hereby made responsible to the City for the payment of said fees, monthly, in advance. Should owner fail or refuse to pay the said fees, collection service will be discontinued. (CC 1965 §8-420; Ord. No. G-710 §8-420, 3-14-89; Ord. No. G-816 §1(8-419), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.200: CHARGES FOR SERVICE—DELINQUENT ACCOUNT

A. All bills unpaid twenty (20) working days after date of issue shall be considered delinquent and subject to an additional charge of ten percent (10%) on the gross amount of the billing.

B. In the event fees remain unpaid for more than sixty (60) days following the date upon which the fees become due, the City Clerk shall annually certify such unpaid bills to the County Clerk as a lien upon the property. The lien shall be collected subject to the same regulations and penalties as other property taxes are collected.

B.C. The discontinuance of service by the City for non-payment of the garbage and trash collection fee shall not relieve any person of his/her responsibility and obligation to abide by the terms of this Chapter regarding the removal of garbage and trash. (CC 1965 §8-421; Ord. No. G-710 §8-421, 3-14-89; Ord. No. G-816 §1(8-420), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.210: NOTIFICATION OF SUBSCRIPTION TO CITY COLLECTION SERVICE

The owner or manager of a multi-family residential unit shall notify the City Clerk of such. Further, such owner or manager must verify, upon subscribing to City collection service, the number of billable dwelling units in said multi-family residence. Any violation or act contrary to this Section will cause payment of City collection service charges for each dwelling unit back to November 2, 1993. (CC 1965 §8-422; Ord. No. G-710 §8-422, 3-14-89; Ord. No. G-816 §1(8-421), 11-2-93; Ord. No. G-942 §§1-2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

SECTION 240.220: VIOLATION AND PENALTY

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Any and all persons failing to comply with any duty imposed by this Chapter, and all persons violating any of the terms and provisions of this Chapter, shall be guilty of a misdemeanor and upon a plea of guilty or a conviction shall pay a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00). (CC 1965 §8-423; Ord. No. G-710 §8-423, 3-14-89; Ord. No. G-816 §1(8-422), 11-2-93; Ord. No. G-942 §§1—2, 11-5-02; Ord. No. G-1047 §1, 1-20-09)

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**ORDINANCE NO. G-1080**

**AN ORDINANCE RELATING TO REFUSE BY AMENDING SECTION 240.010, ENTITLED "PURPOSE AND POLICY," SECTION 240.030, ENTITLED "COLLECTION OF REFUSE," SECTION 240.160, ENTITLED "CHARGES FOR SERVICES," AND SECTION 240.200, ENTITLED "CHARGES FOR SERVICES-DELINQUENT ACCOUNTS," OF CHAPTER 240, ENTITLED "REFUSE," OF TITLE II, ENTITLED "PUBLIC HEALTH AND WELFARE," OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:**

**Section 1.** Section 240.010 to Chapter 240 of Title II the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 240.010 and substituting therefor the following new Section 240.010 to read as follows:

**SECTION 240.010: PURPOSE AND POLICY**

It is the policy of the City of Junction City that in order to insure a clean, healthy and safe environment for the citizens of the City, every resident must be required to properly dispose of all refuse generated by the resident. In order to accomplish this end, the following procedures and mechanisms are established: Every residential unit and multi-family residence in the City of Junction City will have its refuse collected on a regularly scheduled basis by either the City of Junction City (or City Refuse Collector) or private refuse collector. In order to insure that all residents comply with these requirements, it shall be the responsibility of the occupant of each residential unit or the owner of each multi-family residence to notify the City of Junction City whether they wish to have their refuse collected by the City or by a named private refuse collector, provided that from and after September 10, 2010, every residential unit in the City shall be required to have its refuse collected by the City (or City Refuse Collector), unless, prior to such date, the occupant of such residential unit had (a) notified the City that it wished to utilize a private refuse collector, and (b) was in fact utilizing a private refuse collector on such date.

**Section 2.** Section 240.030 of Chapter 240 of Title II the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 240.030(A) and substituting therefor the following new Section 240.030(A) to read as follows:

**SECTION 240.030: COLLECTION OF REFUSE**

A. All refuse generated within Junction City, Kansas, shall be removed from the premises on which it was generated as often as necessary to prevent nuisance conditions from occurring. This shall be accomplished by use of a regularly scheduled collection service. Subject to the requirements of Section 240.010 relating to residential units, such collection service can, at the option of the owner or occupant of the premises, be either by the City of Junction City or duly contracted private firm or by a private licensed collector selected and paid for by the owner or occupant.

The City of Junction City shall not collect commercial building materials such as rubbish from a commercial construction enterprise. Nor will they collect any materials that are not

easily picked up by two (2) men. They will not collect any items that are listed on the hazardous or restricted materials list (Section 240.120). They also will not pick up loose rubble or miscellaneous items that are on the ground which could be bagged, bundled or placed in a container.

**Section 3.** Section 240.160 of Chapter 240 of Title II the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 240.160(A) and substituting therefor the following new Section 240.160(A) to read as follows:

**SECTION 240.160: CHARGES FOR SERVICE**

A. The following rate, to be paid in advance as directed by the Governing Body, shall be charged for the collection of refuse from each residential unit as herein provided to be collected:

Authorized containers and trash not required to be put in containers shall be charged to the customer at the rate of nineteen dollars and fifty cents (\$19.50) per dwelling unit per month for the period September 10, 2010 through December 31, 2010, and at the rate of seventeen dollars and fifty cents (\$17.50) per dwelling unit per month commencing January 1, 2011.

In the event refuse is not in place for removal prior to sanitation crews completing pickup in an area, sanitation will return for the pickup once per calendar year at no cost. Additional return service for late pickup by sanitation crews will be charged at a rate of nine dollars (\$9.00) per return pickup.

Each year commencing with 2011, on the first day of August, the above refuse rates shall be adjusted by the amount of the increase in the Consumer Price Index, as published, for the preceding twelve months.

B. Charge for dumpsters shall be as shown:

Dumpster Fees – Residential Complex			
FREQUENCY	2 YD	4 YD	6 YD
Once per week	\$90.00	\$100.00	\$115.00
Twice per week	\$160.00	\$180.00	\$205.00

Dumper Fees Rental – Temporary Demolition			
FREQUENCY	2 YD	4 YD	6 YD
Once per week	\$120.00	\$150.00	\$200.00
Twice per week	\$205.00	\$280.00	\$365.00

The appropriate volume (size) of dumpster will be determined by the Sanitation Supervisor based on the number of residences being served.

**Section 4.** Section 240.200 of Chapter 240 of Title II the Code of Ordinances of the City of Junction City, Kansas is amended by deleting the existing Section 240.200 and substituting therefor the following new Section 240.200 to read as follows:



**SECTION 240.200:**

**CHARGES FOR SERVICE—DELINQUENT ACCOUNT**

A. All bills unpaid twenty (20) working days after date of issue shall be considered delinquent and subject to an additional charge of ten percent (10%) on the gross amount of the billing.

B. In the event fees remain unpaid for more than sixty (60) days following the date upon which the fees become due, the City Clerk shall annually certify such unpaid bills to the County Clerk as a lien upon the property. The lien shall be collected subject to the same regulations and penalties as other property taxes are collected.

C. The discontinuance of service by the City for non-payment of the garbage and trash collection fee shall not relieve any person of his/her responsibility and obligation to abide by the terms of this Chapter regarding the removal of garbage and trash.

**Section 5.** All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

**Section 6.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in the official City newspaper, all as provided by law.

PASSED by the Governing Body of the City on September 7, 2010 and signed by the Mayor.

(Seal)

\_\_\_\_\_  
Mike Rhodes, Mayor

ATTEST

\_\_\_\_\_  
Tyler Ficken, City Clerk



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## City of Junction City

### City Commission

### Agenda Memo

September 7, 2010

**From:** Gerry Vernon, City Manager  
**To:** City Commissioners  
**Subject:** Opera House/Little Theatre sub-lease agreement

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**Objective:** Approval of 12 month sub-lease agreement for the Opera House with the Junction City Little Theatre, Inc.

**Explanation of Issue:** Opera House Manager Tony Ballard along with Ralph DeZago, representing the City, negotiated the attached sub-lease agreement with the Little Theatre Group.

**Budget Impact:** The sublease will provide a steady revenue stream for Opera House.

**Alternatives:** Approve, deny, or postpone the agreement

**Recommendation:** Staff recommends a motion to approve the sub-lease agreement between the Junction City Opera House L.P. and the Junction City Little Theatre, Inc.

**Enclosures:** Sub-lease agreement

## SUBLEASE AGREEMENT

**THIS SUBLEASE AGREEMENT** is made and entered into at Junction City, Kansas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between J.C. Opera House, L.P. (Sublandlord) and Junction City Little Theatre, Inc. (Subtenant),

1. For and in consideration of the rents and covenants hereinafter set out, the Sublandlord hereby subleases to the Subtenant, for its use in accordance with the terms stated hereinafter, the following designated areas in the premises commonly known as the C. L. Hoover Opera House, 135 W. 7<sup>th</sup> Street, Junction City, Kansas (the Subleased Premises):

- a. Theatre, stage, dressing rooms, rehearsal space, and lobby during the times stated hereinafter;
- b. Appropriate and adequate space for monthly board meetings of the Subtenant;
- c. Use of the rehearsal hall for each production during the times stated hereinafter;
- d. Workshop by arrangement with the Sublandlord;
- e. Mona Kessinger Costume Room;
- f. Half of the Rolf's Building Basement;
- g. Half of the Trap Room and
- h. Elmer and Nettie Helland Sewing Room.

2. The period of this Sublease Agreement shall be for three twelve (12) month terms commencing on July 1, 2010 and ending on June 30, 2013. These terms are referred to hereinafter as follows: The term from July 1, 2010 through June 30, 2011 is the "initial term." The term from July 1, 2012 through June 30, 2013 is the "second term." The term from July 1, 2013 through June 30, 2014 is the "third term." The period of this Sublease Agreement shall be extended automatically as of June 1, 2013 for an additional twelve (12) month term, unless either Sublandlord or Subtenant shall deliver written notice to the other, not later than November 1, 2011, stating that the period of this Sublease Agreement shall not be extended automatically and that it will terminate effective on May 31, 2013. This additional term from June 1, 2013 through May 31, 2014 is the "fourth term." It is understood by the parties that during the "fourth term" the management oversight of the Subleased Premises will transition from the JCOH Management Oversight Board to another entity to be designated by the governing body of the City of Junction City, Kansas. The Subtenant agrees to the substitution of such entity to replace the JCOH Management Oversight Board.

3. The Subleased Premises are subleased and sublet to the Subtenant for the sole the purpose of producing and presenting to the general public theatrical stage productions. The Subtenant shall not engage in any other type of use of the Subleased Premises without the express written consent of the Sublandlord.

4. All obligations, rights and duties of the parties shall inure and extend to the parties only during the term of this Sublease Agreement and any renewal thereof.

5. The Subtenant shall pay to the Sublandlord annual rental payments as follows:

a. Ten Thousand Five Hundred Dollars (\$10,500.00) for the initial term, payable in four equal installments on or before July 1, 2010, October 1, 2010, January 1, 2011 and April 1, 2011.

b. The document attached hereto, identified as Exhibit A and bearing the title of "LT Use of Rehearsal Hall, Theatre and Stage" is incorporated herein by reference and shall be used to calculate any increase in the annual rental payments.

c. The "Grand Total of Usage" during the initial term (GTUIT) shall be calculated utilizing the same methods and criteria as were utilized in Exhibit A. The annual rental payment for the second term shall be the greater of Ten Thousand Five Hundred Dollars (\$10,500.00) or the product of Ten Thousand Five Hundred Dollars (\$10,500.00) multiplied by GTUIT and divided by \$9859.81 payable in four equal installments on or before July 1, 2011, October 1, 2011, January 1, 2012, and April 1, 2012.

d. The "Grand Total of Usage" during the second term (GTU2T) shall be calculated utilizing the same methods and criteria as were utilized in Exhibit A. The annual rental payment for the third term shall be the greater of the rental payment for the second term or the product of rental payment for the second term multiplied by GTU2T and divided by GTUIT payable in four equal installments on or before July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013.

e. If the initial period of this Sublease Agreement is extended for a fourth term through May 31, 2014 the "Grand Total of Usage" during the third term (GTU3T) shall be calculated utilizing the same methods and criteria as were utilized in Exhibit A. The annual rental payment for the fourth term shall be the greater of the rental payment for the third term or the product of the rental payment for the third term multiplied by GTU3T and divided by GTUIT payable in four equal installments on or before July 1, 2013, October 1, 2013, January 1, 2014, and April 1, 2014.

f. In addition to the annual rental payments during the second and third terms, and if the applicable, the fourth term, the Subtenant shall pay to the Sublandlord a facility fee equal to One Dollar (\$1.00) for each ticket redeemed for attendance at each production of the Subtenant, except and not including those tickets provided by the Subtenant to the Sublandlord pursuant to this Sublease Agreement. The facility fee shall be deducted by the Sublandlord from the moneys collected by Sublandlord incident to each production of Subtenant.

g. The Subtenant shall provide a volunteer who will "man" the box office for twenty (20) hours per week during the time ticket sales for each of Subtenant's productions occurs. The total hours volunteered under this subparagraph g during each term of this Sublease Agreement shall be one hundred forty (140) hours. If the Subtenant should fail to provide such volunteer hours then the Sublandlord shall be entitled to receive compensation from the Subtenant for hired labor at a rate consistent with regular box office labor for all rental customers of the Sublandlord. The Sublandlord shall provide to the Subtenant a box office staffing schedule not less than one month prior to each of Subtenant's productions to allow the Subtenant to schedule its box office volunteers.

h. The Sublandlord waives and will not receive from the Subtenant a facility fee during the initial term in consideration of the Subtenant making a good faith effort to provide volunteers in addition to that required by the preceding paragraph g to assist in the operation of the box office immediately prior to and during each production of the Subtenant.

6. The Subtenant shall have the right to the use of the Subleased Premises, for the purpose of staging a total of four (4) theatrical productions during the Fall, Winter and Spring and two (2) theatrical productions during the Summer of each term, as follows:

a. Exclusive use of the rehearsal hall on all Mondays through Thursdays during the period of thirty-five (35) calendar days prior to moving the rehearsal to on stage for each production (47 calendar days before the first performance of each production);

b. Exclusive use of the theatre, stage and dressing rooms for the period of twelve (12) calendar days prior to the first performance of each production;

c. Exclusive use of the theatre, stage and dressing rooms during the period beginning with the day of the first performance of each production and ending upon the completion of the last performance of each production;

d. Use of the rehearsal hall and the Mona Kessinger Room on Fridays, Saturdays, and Sundays during the period of thirty-five (35) calendar days prior to moving the rehearsal to on stage for each production (47 calendar days before the first performance of each production) with prior arrangement with the Sublandlord not less than seven (7) calendar days prior to the date that the Subtenant desires to use the rehearsal hall or Mona Kessinger Room. It is understood that the Sublandlord shall have the right to deny the use of the rehearsal hall or Mona Kessinger Room under this paragraph d if the rehearsal hall or Mona Kessinger Room has been reserved or is to be used by a third party/renter of the Sublandlord;

e. If the Sublandlord has rented the rehearsal hall to a paying renter the Sublandlord shall have the right to require the Subtenant to conduct a rehearsal at a suitable location within the C.L. Hoover Opera House, other than the rehearsal hall, by giving notice of the relocation of the rehearsal not less than 48 hours prior to the beginning of such rehearsal;

f. Use of half of the Rolf's Building Basement;

g. Use of half of the Trap Room;

h. Exclusive use, with the Sublandlord, of the Elmer and Nettie Helland Sewing Room;

i. Use of the workshop for set construction in coordination with the Sublandlord;

j. Use of the lobby or the rehearsal hall for an annual membership reception; and

k. Use of theatre seating during and incident to each performance of each production.

7. The Sublandlord shall:

a. remit to the Subtenant the proceeds from ticket sales, less applicable sales tax, received for the three (3) of the Fall performances during each term, not later than the first business day following the third such performance; and

b. remit to the Subtenant the proceeds from ticket sales, less applicable sales tax, within fourteen (14) calendar days after the close of the final performance of each production during each term.

8. The Subtenant shall provide to the Sublandlord, not later than December 1, 2010, a schedule of dates that the Subtenant will stage each theatrical production during the initial, second and third terms. If the period of this Sublease Agreement is extended then the Subtenant shall provide to the Sublandlord, not later than December 1, 2011 a schedule of dates that the Subtenant will stage each theatrical production during the fourth term.

9. The Sublandlord agrees to keep the interior and exterior of Subleased Premises, including the roof and walls, in a good state of repair during the term of this Sublease Agreement and shall repair and remedy any and all structural defects subject to the exceptions stated hereinafter in a timely manner as they may appear during the term of this Sublease. The Sublandlord shall further keep in good repair and shall maintain the plumbing, electrical and air conditioning and heating systems in the Subleased Premises and Common Areas solely at the expense of the Sublandlord.

10. The Sublandlord shall pay all real estate taxes levied upon the Subleased Premises and shall not allow the same to become delinquent.

11. The Sublandlord shall not be liable for any damage to the Subtenant's property or to property owned by other persons by reason of any defect in or upon the Subleased Premises until or unless notice of such defect is provided by the Subtenant to the Sublandlord in writing and for a reasonable time thereafter to allow repair of the defect by the Sublandlord.

12. The Sublandlord shall pay all of the cost of gas and electric service for the Subleased Premises as they become due and shall be responsible for all deposits necessary to establish and maintain gas and electrical service to the Subleased Premises. The Sublandlord shall provide water for the Subleased Premises subject to the reasonable and responsible use of the same by the Subtenant. It is understood that the water provided by the Sublandlord will be used for the benefit of patrons of and users of the Subleased Premises and by the Subtenant for cleaning, drinking and sanitary purposes only.

13. The Sublandlord shall be responsible for all of the cost of snow and ice removal from the sidewalks bordering the Subleased Premises.

14. If the Subleased Premises shall be destroyed or damaged by fire, storm or other casualty to the extent that the same becomes untenable, the Sublandlord may, at its option, terminate this Sublease Agreement or notify Subtenant of Sublandlord's intention to repair or rebuild and such repairing and rebuilding shall be accomplished without unnecessary delay. During such period of rebuilding or repairing and non-use by the Subtenant, the rent for the Subleased Premises shall be abated in full, but the term hereof shall not be extended hereby. Should the Sublandlord elect to terminate the lease, the Subtenant shall remove all merchandise, furniture, fixtures, and business equipment from the Subleased Premises promptly.

15. Neither party may assign its rights under this Sublease Agreement without the express, written consent of the other.

16. The Subtenant shall provide to the Sublandlord the name of each person who is responsible for controlling the use of the Subleased Premises and who will secure all doors following each use of the Subleased Premises.

17. The Subtenant and the Sublandlord shall endeavor to prevent false alarms with the security system. The Subtenant shall be responsible for charges made by the City of Junction City incident to false alarms with the security system which are the result of conduct by individuals who are on the Subleased Premises as a result of their affiliation with the Subtenant.

18. If the Subtenant desires to utilize the grand piano which is owned by the Sublandlord, the Sublandlord will arrange for the tuning of the grand piano and the Subtenant shall reimburse the

Sublandlord for the associated cost.

19. If either party should fail, refuse, or neglect to perform any term or condition of this Sublease Agreement, the non-defaulting party may give written notice to the defaulting party of such default. If the default is not cured or corrected within ten (10) days of such notice then the non-defaulting party may either immediately terminate this Sublease Agreement or initiate legal action to seek the specific performance of this Sublease Agreement. The waiver of any default shall not constitute a waiver of any subsequent default. The waiver of any default shall not constitute a waiver of any subsequent default.

20. Time is the essence of this Lease Agreement. The parties agree that this Sublease Agreement contains all of the terms, provisions, and agreements between the parties hereto concerning the leasing of the above described premises and improvements and any oral condition or understanding at variance or in addition hereto is void and of no effect.

21. This Sublease Agreement shall extend to and inure to the benefit of and be binding upon the parties hereto, their heirs, personal representatives, trustees, successors and assignees.

22. All notices required to be given herein shall be considered given as of the date the postmark when notice is mailed by U.S. certified mail, return receipt request mail, postage prepaid. All notices to the Sublandlord shall be addressed as follows:

J.C. Opera House, L.P.  
PO Box 3005  
Junction City, Kansas 66441.

All notices to the Subtenant shall be addressed as follows:

Junction City Little Theatre, Inc.  
PO Box 305  
Junction City, Kansas 66441.

23. The Subtenant shall procure and maintain in force, without cost or expense to the Sublandlord, on or before the commencement date of this Sublease Agreement and throughout the terms of the Sublease Agreement or so long as Subtenant remains a subtenant of the Subleased Premises, a broad form comprehensive general liability policy of insurance covering bodily injury and property damage, with respect to the use and occupancy of the Subleased Premises with liability limits of not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) per each term. The Sublandlord, Spirit of '76, Inc. and the City of Junction City, Kansas shall be named additional insureds on said policy. Such policy shall provide that it cannot be canceled or modified in any way without the written consent of the Sublandlord. The Sublandlord, Spirit of '76, Inc. and the City of Junction City, Kansas shall be entitled to receive certification documenting such insurance policy at any time upon request.

24. The Subtenant shall defend, hold harmless and indemnify the Sublandlord, Spirit of '76, Inc. and the City of Junction City, Kansas from and against any and all claims, demands, causes of action, suits or judgments including but not limited to any claims of insurance carriers, each and every agency of the United States of America, and each and every agency of the State of Kansas for the death of or injury to each and every person and for loss of or damage to property and any and every other claim relating to



or arising from the use and occupancy of the Subleased Premises by the Subtenant, its agents, servants, employees or patrons.

25. In addition to the foregoing, the Sublandlord will:

- a. Keep the Subleased Premises clean and provide general maintenance and upkeep;
- b. Stock the restrooms in the Subleased Premises with supplies;
- c. Provide trash service for the Subleased Premises;
- d. Provide and assist in the set up of tables and chairs as needed;
- e. Provide box office services for all ticket sales incident to each and every production of the Subtenant, in coordination with the "box office" volunteers to be provided by the Subtenant as stated herein;
- f. Provide one (1) full page advertisement featuring the Subtenant for each program distributed by the Sublandlord (the Subtenant shall be responsible for providing the print ready proof of each such advertisement);
- g. Provide a washer, dryer, irons and ironing board for the use of the Subtenant immediately prior to and during each production by the Subtenant;
- h. Provide basic internet service at the Subleased Premises;
- i. Provide two (2) sets of lockable cabinets for the storage of concession items and keys to cabinet locks;
- j. Provide display window and kiosk prior to each production by the Subtenant, the dates will be coordinated by the Sublandlord and the Subtenant;
- k. Provide the use of the grand piano at no charge other than the cost of tuning before each production by the Subtenant; and
- l. Provide three (3) keys and the security code to the Subleased Premises.

26. In addition to the foregoing, the Subtenant will:

- a. Maintain control over, and not duplicate the three (3) keys, and the security code to the Subleased Premises so as to prevent the unauthorized use thereof (If the Subtenant should lose any of the keys the Subtenant shall be responsible for the cost of "rekeying" the exterior doors to the C. L. Hoover Opera House;
- b. Allow the use of two (2) electric pianos by the Sublandlord at no charge, subject to prior and timely advance written notice, and subject to the Subtenant not having previously committed the two (2) electric pianos for use;

c. Provide one (1) full page advertisement featuring the Sublandlord for each program distributed by the Subtenant (the Sublandlord shall be responsible for providing the print ready proof of each such advertisement);

d. Allow the Sublandlord to allow its renters, for the fee of one hundred fifty dollars (\$150.00) per piano per performance to be remitted to the Subtenant, the use of either or both of two (2) electric pianos, subject to prior and timely advance written notice, and subject to the Subtenant not having previously committed the two (2) electric pianos for use; and

e. Provide to the Sublandlord four (4) tickets at no cost (and without a facility fee being assessed) to be utilized by staff or immediate family of staff of the Sublandlord for each performance of each production of the Subtenant.

27. The following rules of use of the Subleased Premises by the Subtenant shall apply:

a. Minors in the Subleased Premises incident to this Sublease Agreement shall be supervised by an adult at all times;

b. The Subtenant shall not allow any unauthorized person to enter the Subleased Premises or any area contiguous thereto;

c. The Subtenant shall not allow any person to enter any area that is controlled by the Sublandlord other than the Subleased Premises;

d. Sets shall be struck and removed immediately following the final performance of each production;

e. No food or beverage will be allowed in the theatre except for capped water bottles which shall be allowed in the theatre only during rehearsals;

f. No tape, nails or tacks may be used in the walls or woodwork of the Subleased Premises;

g. No smoking, flammable decorations or long stemmed candles are permitted in the Subleased Premises;

h. A smoke machine or any similar device may not be used unless it is approved by the Sublandlord;

i. Each performance of each production by the Subtenant shall be concluded by 11:00 p.m. and the Subleased Premises must be vacated by 12:00 a.m. The Subleased Premises shall be available for use by the Subtenant between the hours of 12:00 a.m. and 8:00 a.m.;

j. No vehicle may be parked on the sidewalks adjacent to the Subleased Premises without the written permission of the Sublandlord;

k. No alcoholic beverages are allowed outside of the Subleased Premises, or in the rehearsal hall or any other space during a rehearsal, or in the back stage area during a rehearsal or performance (The Subtenant shall specifically be allowed to serve alcohol for consumption by patrons subject to the

policies of the City of Junction City, Kansas); and

1. The Sublandlord has no responsibility for the safekeeping or loss of any property of the Subtenant or any of its volunteers or agents.

28. This Sublease Agreement replaces the Sublease Agreement between the Sublandlord and the Subtenant dated February 10, 2009, which is now void.

**IN WITNESS WHEREOF**, the parties hereto have executed this instrument by signing the same on the day and year first above written.

**J.C. Opera House, L.P.**

By \_\_\_\_\_  
Anthony W. Ballard, Manager

**Junction City Little Theatre, Inc.**

By \_\_\_\_\_  
Cathy Rankin, President

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